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ABSTRACT

This guide provides basic information for members of minority groups who wish to participate effectively in the reapportionment that will take place as a result of the 1990 Census. The guide focuses on Blacks and Hispanics--the largest minority groups and the only ones for which there are reliable population figures that are more recent than the 1980 Census. The guide contains the following sections: (1) "Introduction: The 1990 Census and Political Power for Minorities" by William P. O'Hare; (2) "Demographic Change in the Black Population" by William P. O'Hare; (3) "Blacks, the Changing Political Climate, and Redistricting" by Linda Willaims; (4) "Latino Representation and the 1990 Census" by Robert Brischetto; (5) "The Changing Hispanic Political Landscape" by Rodolfo O. de la Garza and Louis De Sipio; (6) "Changing Standards in Voting Rights Law" by Frank R. Parker; (7) "The Impact of New Technology and New Census Data on Redistricting in the 1990s" by Carlton Henry; (8) "Redistricting Resources for Minority Groups" by Taynia Mann; (9) "References"; and (10) "Notes on Contributors." (DM)

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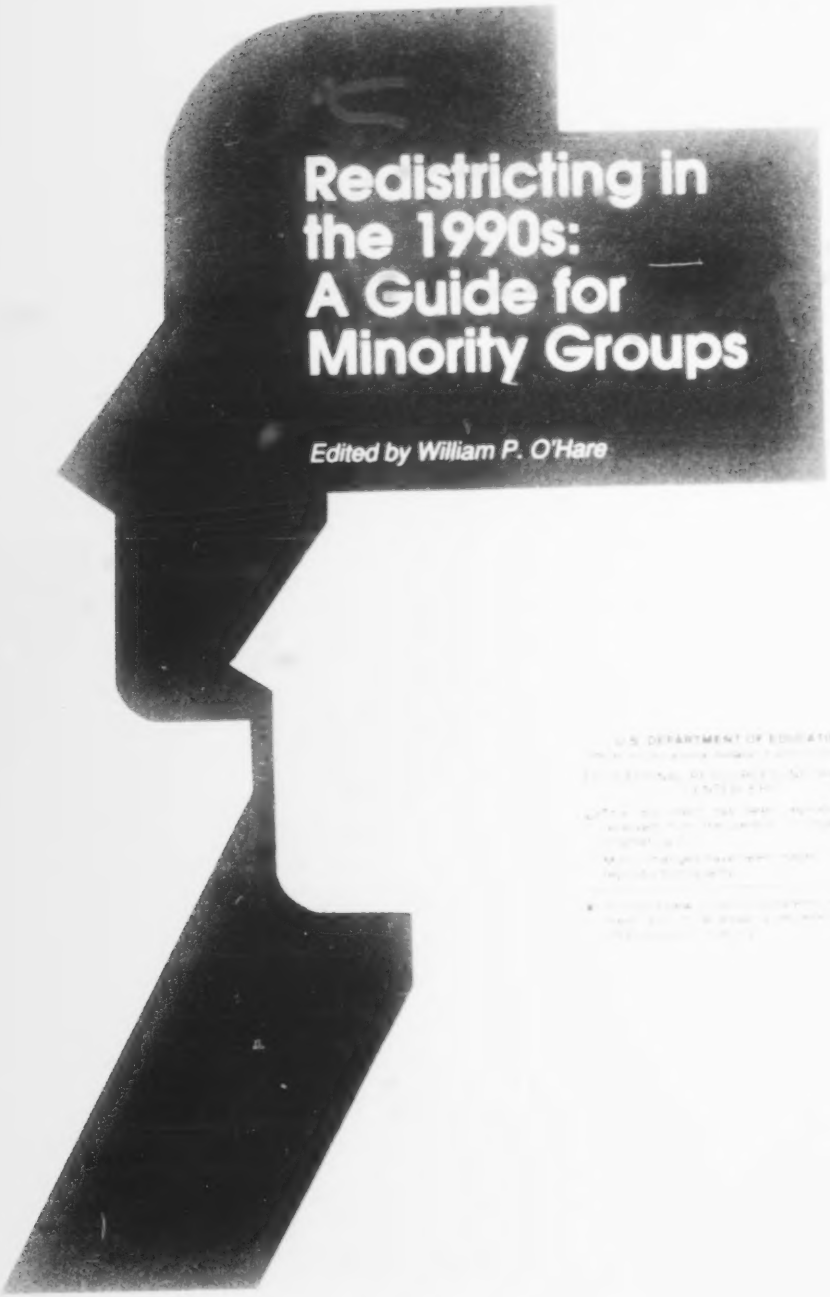
Redistricting in the 1990s: A Guide for Minority Groups

Edited by William P. O'Hare



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Redistricting in the 1990s: A Guide for Minority Groups

Edited by William P. O'Hare

Editor's Note—The day before this publication went to print a lawsuit which would require the Census Bureau to make an adjustment for any undercount of minorities in the 1990 Census was settled out of court. The settlement stipulates that the Census Bureau will appoint a panel of eight experts to make a recommendation regarding the undercount adjustment issue. Any adjustment must be made by July 1991.

The final decision to make an adjustment will rest with the Secretary of Commerce, but the settlement requires that the Secretary give the recommendation of the panel "due consideration." In the meantime the Census Bureau will conduct the full traditional Census.

Since many sections of this report contain references to this lawsuit, some of those references may now be outdated.

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Introduction: The 1990 Census and Political Power for Minorities

by William P. O'Hare

Two dates should already be marked on your calendar: *April 1, 1990*, and *April 1, 1991*. The first is the day the U.S. Bureau of the Census will conduct the 1990 Decennial Census. The second is when the data needed to draw new election districts will be made public. The data collected in the 1990 Census and the redistricting activities which will follow have enormous implications for minorities. This publication is designed to help minority groups[1] participate effectively in that redistricting process.

The Census Bureau will hire more than 400,000 temporary workers to help take the 1990 Census.

The ten years between each census mean that the lessons learned in redistricting following one census are often forgotten by the next census. In addition, there are often important changes in the law, in technology, or in census data collection between one redistricting cycle and the next which make past approaches to redistricting unworkable.

A number of factors suggest that the redistricting landscape following the 1990 Census will be significantly different from what it was following the 1980 Census. Minority populations have grown and expanded into new areas. More comprehensive census data and new technology will also make post-1990 redistricting different. Furthermore, the political landscape is changing, and several court cases settled during the past several years will also affect redistricting.

This booklet covers the major topics that will be important in the redistricting process. None of the topics addressed here is covered in depth, but it is hoped that this overview will help minority groups begin planning for effective involvement in the process.

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1. This booklet focuses on blacks and Hispanics, the two largest minority groups in this country, and the only minority groups for which there are reliable demographic data more recent than the 1980 Census.

The experts who have written the following sections are among the most knowledgeable people in the nation on these topics. They have been asked to focus only on major points in order to keep the booklet to a manageable size. The authors sometimes offer differing points of view and rely on slightly different data. Rather than try to force the authors to reach some consensus, we feel it is more constructive to provide a range of views and conclusions.

While redistricting activity is still more than a year away, it is important for minority groups to start thinking about the redistricting process *now*. Most observers agree that many minority communities were not adequately prepared to protect their interests when redistricting got underway following the 1980 Census. Unless they are prepared to do so after the 1990 Census, there is no assurance that their voting power won't be diluted.

Several things will happen after the first data from the 1990 Census are released. First, the number of seats allocated to each state in the U.S. House of Representatives will be determined. Some states will lose seats, others will gain them. The boundaries of congressional districts in those states will have to be redrawn, as will such boundaries in states that neither gained nor lost seats. Shifts in population require adjustments in the border of every congressional district to meet the one-person, one-vote requirement.

The composition of state legislatures in 1991 will be particularly important since they redraw both the new congressional and state legislative district lines.

While congressional reapportionment and redistricting will receive the most attention from the media, redistricting will be underway at other governmental levels at the same time. New state legislative districts will be drawn, the boundaries of city and county election districts will be redrawn, as will district lines for other kinds of governmental bodies such as boards of education and judicial districts.

The redistricting process is not mechanical. There are many different ways of drawing district boundaries so that the districts meet legal guidelines, but even slightly different boundaries may lead to very different election results. Minority groups must therefore be prepared to analyze the impact of proposed boundaries and to draw alternative plans of their own which can be presented to governmental bodies or courts of law.

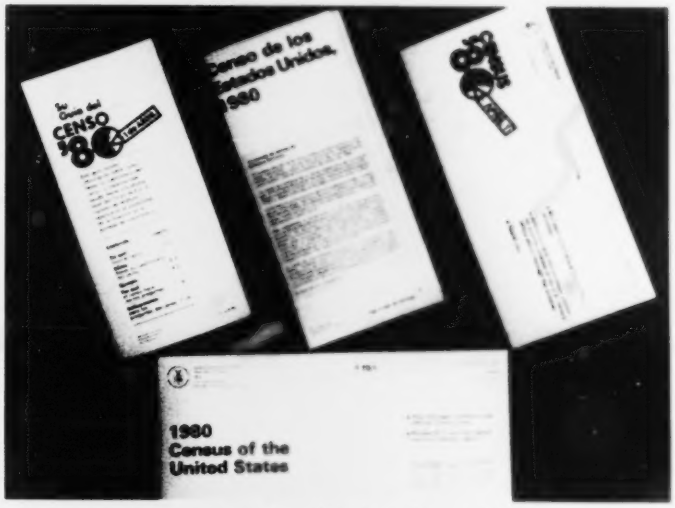
Since the boundaries of a district—and therefore the people who live in it—strongly affect who is likely to be elected to represent it, politicians, political observers, and interest groups are keenly interested in how district lines are redrawn. The process often produces political

and legal battles, and these battles can sometimes delay final redistricting until late in the decade. Following the 1990 Census, millions of dollars will be spent to acquire and analyze demographic and political data, to hire political consultants, and to engage legal representation. Since the groups who defend minority interests seldom have much money or sophisticated technical support, they are at a disadvantage when the process of redistricting heats up.

Importance of the Census

While the primary goal of this publication is to help minority groups protect their interests during the redistricting process, a secondary goal is to promote a better understanding of the importance of the decennial census.

Unfortunately, many people see the census as a remote activity that has little impact on their lives. Therefore it is important to point out that the census results have a number of significant impacts. In addition to serving as the basis for determining which states will gain congressional seats and which ones will lose, census data are used by federal and state governments to determine the distribution of billions of dollars to states and local communities through a variety of programs. People not counted by the Census Bureau cause their community to be deprived of its rightful share of public money. In short, the census is connected with money and power.



Census questionnaires are translated into Spanish and several other languages in an attempt to increase the response rate.

Census data are also used by local governments to identify areas of distress or areas where a particular social service might be needed. During a heat wave in St. Louis, for example, there was considerable concern about the life-threatening effects of hot weather on the elderly. Officials in the city used census data to identify areas where there were large numbers of elderly persons, and city workers then went door-to-door to tell the elderly about city-sponsored "cooling centers." In another

case, a group of working mothers in a midwestern city used census data to persuade city officials of the need for a day care center in their neighborhood.

For all of these reasons, the first step in a comprehensive redistricting effort is to create a strategy for making sure that every member of your community is counted on April 1, 1990.

Section 2. Demographic Change in the Black Population

by William P. O'Hare

It is demographic change that makes redistricting necessary. That means that knowledge of demographic changes is crucial to those interested in redistricting. Without a good knowledge of how the racial composition of an area has changed, it is hard to be an effective advocate in this arena.

This section provides an overview of national population trends among blacks during the 1980s as well as a look at the changing racial composition of all the states and some major cities. As these trends are outlined, a few of the political implications are noted.

First, however, it is important to point out that the data that will be produced from the 1990 Census are likely to be seriously flawed in one respect. It is widely recognized that the data produced by past censuses did not reflect the total population. Blacks are missed at a significantly higher rate than whites. The Census Bureau estimates that the 1980 Census missed about 5.9 percent of blacks (down from about 7.5 percent in 1970) but only about 1 percent of whites. Those missed most often were black males between the ages of 20 and 50, particularly those living in urban ghettos or extremely rural areas.

"Without a good knowledge of how the racial composition of an area has changed, it is hard to be an effective advocate in this arena."

There are currently several bills in Congress which would require the Census Bureau to make a statistical adjustment to account for any known undercount. A lawsuit filed in federal court would achieve the same end, if successful (O'Hare:1988). However, the likely success of those initiatives is unclear.

Consequently, the data provided by the 1990 Census may not be an accurate reflection of the true population in your area. That is something you should be aware of as you use Census Bureau data during the redistricting process.

Population Size and Geographic Distribution

Throughout the 1980s, the black population grew more rapidly than the total population, as it had for several prior decades. The Census Bureau estimated the size of the black population in 1988 at 30.2 million, or 12.3 percent of the total population. The 26.7 million blacks counted in the 1980 Census comprised 11.8 percent of the total population, up

from 22.5 million and 11.1 percent in 1970. The Census Bureau projects that in 1990 blacks will number about 31.0 million and comprise 12.4 percent of the total U.S. population (U.S. Bureau of the Census: 1988B).

However, the national rate of growth among blacks masks important differences among regions, states, cities, and towns. For example, the projected 2.3 million increase between 1980 and 1990 in the number of blacks living in the South will be 53 percent of the total increase in the U.S. black population during this period. During the 1980s, the West has been the region with the highest *rate* of black population growth (29.3 percent between 1980 and 1990). The rate of black population growth slowed in the Northeast and particularly in the Midwest, due to out-migration from these areas to the South and West.

Despite these regional differences in the rate of black population growth during the 1980s, the distribution of blacks across the regions has changed little since 1970. Today, 53 percent of all blacks live in the South, 18 percent live in the Northeast, 19 percent reside in the Midwest, and 9 percent are found in the West.

The regional differences in recent black population growth can be traced largely to patterns of black inter-regional migration, (O'Hare: 1989) as opposed to differences in birth and death rates. For several decades prior to the 1970s, black inter-regional migration was dominated by the movement of blacks out of the South, particularly out of the rural South. Starting in the early 1970s, however, the net movement of black migrants from the South to the North stopped. Instead, a new pattern of net migration from the Northeast and Midwest to the South was established. During the first half of the 1980s, the South and West continued to experience net in-migration of blacks while the Northeast and the Midwest continued to experience net out-migration of blacks.

By 1990, a total of 16 states will have at least 1 million black residents (see Table 2.1), up from 12 states in 1980. California, with a gain of 559,000, will have the largest growth in black population between 1980 and 1990, according to Census Bureau projections, but it will still fall behind New York in total number of blacks (2.9 million in New York in 1990, compared to 2.4 million in California). While the number of blacks in New York is projected to increase by 14.7 percent between 1980 and 1990, this is less than the national rate[2] of population growth for blacks (16.3 percent) and less than half the rate of growth in California (30.5 percent). Other states with large black populations (more than 100,000)

2 Some states show a very high percentage increase between 1980 and 1990, but this is due to the smallness of the black population in 1980, not to large increases in blacks.

Table 2.1. Projected Change in Congressional Seats Between 1980 and 1990 and Black Population of States, 1990

	Congressional Seats		Change in Congressional Seats	Black Population in 1990
	1980	1990	1980 to 1990	(in 1000s)
Northeast	**95**	**88**	**–7**	**5,705**
Maine	2	2	0	4
New Hampshire	2	2	0	7
Vermont	1	1	0	2
Massachusetts	11	10	–1	284
Rhode Island	2	2	0	38
Connecticut	6	6	0	269
New York	34	31	–3	2,858
New Jersey	14	14	0	1,134
Pennsylvania	23	20	–2	1,108
Midwest	**113**	**104**	**–9**	**5,995**
Ohio	21	19	–2	1,188
Indiana	10	10	0	469
Illinois	22	20	–2	1,869
Michigan	18	16	–2	1,355
Wisconsin	9	8	–1	231
Minnesota	8	8	0	67
Iowa	6	5	–1	52
Missouri	9	9	0	559
North Dakota	1	1	0	3
South Dakota	1	1	0	2
Nebraska	3	3	0	54
Kansas	5	4	–1	145
South	**142**	**152**	**+10**	**15,960**
Delaware	1	1	0	126
Maryland	8	8	0	1,233
Virginia	10	11	+1	1,171
West Virginia	4	3	–1	54
North Carolina	11	12	+1	1,480
South Carolina	6	6	0	1,067
Georgia	10	12	+2	1,789
Florida	19	22	+3	1,823
Kentucky	7	7	0	280
Tennessee	9	9	0	810
Alabama	7	7	0	1,071
Mississippi	5	5	0	962
Arkansas	4	4	0	387
Louisiana	8	8	0	1,380
Oklahoma	6	6	0	223
Texas	27	31	+3	2,104
West	**85**	**91**	**+6**	**2,947**
Montana	2	1	–1	2
Idaho	2	2	0	4
Wyoming	1	1	0	4
Colorado	6	6	0	133
New Mexico	3	3	0	29
Arizona	5	7	+1	99
Utah	3	3	0	12
Nevada	2	2	0	74
Washington	2	2	0	114
Oregon	5	5	0	44
California	45	50	+6	2,392
Alaska	1	1	0	20
Hawaii	2	2	0	21

Source: Based on Census Bureau data and author's projections.

and a black population growth rate at least 50 percent higher than the nationwide average include Wisconsin, Delaware, Maryland,[3] Florida, and Colorado.

Based on my projections of the total population in each state, 17 seats in Congress will shift following the 1990 Census. These projections indicate that seven states[4] are likely to gain at least one seat in Congress and eleven states[5] are likely to lose at least one seat in Congress after the 1990 reapportionment (see Table 2.1). Since nearly all of the states that will gain or lose representation in Congress have large black populations, these changes will pose both new opportunities and possible obstacles to black electoral prospects.

"... 17 seats in Congress will shift following the 1990 Census"

Every state that will gain seats in Congress, with the exception of Arizona, has at least 1 million black residents. Three key states (California, Texas, and Florida) where the black population is growing rapidly are also states that are likely to gain at least three seats. Given the growth of the black populations in these states and the availability of new seats, the number of blacks in Congress seems likely to increase.

While the number of blacks in a state is an important piece of information, a knowledge of the distribution of blacks within the state is equally important in assessing redistricting implications. For example, three states (New York, Texas, and California) will each have more that 2 million blacks by 1990, but the concentration of blacks in major metro areas in these three states is quite different. In New York, almost 80 percent of the blacks in the state lived in the New York metro area in 1980. In California, about half of all blacks in the state lived in the Los Angeles metro area. But in Texas, less than a third (31 percent) of the state's black population resided in the state's largest metro area (Houston). The four black members of Congress from New York are from the New York City area, two of the four black members from California come from Los Angeles, while the black member of Congress from Texas comes from Houston.

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3. Much of the growth of the black population in Maryland is the result of blacks moving out of Washington, D.C. into the surrounding Maryland suburbs.

4. Virginia, North Carolina, Georgia, Florida, Texas, Arizona, and California.

5. Massachusetts, New York, Pennsylvania, West Virginia, Ohio, Illinois, Michigan, Wisconsin, Iowa, Kansas, Montana.

Changes in Congressional Districts

Changes in the populations of districts currently represented by blacks also provide some clues to the changes in district boundaries that will be dictated by the results of the 1990 Census. Only three congressional districts represented by blacks (all in California) grew more rapidly than the U.S. population between 1980 and 1986 (see Table 2.2, page 14). Fourteen congressional districts represented by a black lost population during that period. That reflects the fact that most black districts are located in the heart of major urban areas which have seen extensive out-migration for many years. In most cities, though, the white population has declined more rapidly than the black population, meaning that many of these districts will have a higher percentage of blacks in 1990 than they did in 1980. That will make them "safer" black districts in electoral terms.

Given overall population growth in the 1980s and the population losses in several congressional districts represented by blacks, some districts will have to be enlarged significantly to pick up the additional population needed to reach the "Ideal District Size" and meet the equal population requirements under the one-person, one-vote rule (see Table 2.2). For example, my calculations show that the 1st (Conyers) and the 13th (Crockett) districts in Michigan, as well as the 2nd district in Pennsylvania (Gray), will each have to gain at least 100,000 new people in 1991. Districts that will have to expand to pick up between 50,000 and 100,000 people include the 1st and the 7th districts in Illinois (Hayes and Collins), the 7th district in Maryland (Mfume), the 1st district in Missouri (Clay), the 10th district in New Jersey (Payne), the 11th and the 16th districts in New York (Towns and Rangel), the 21st district in Ohio (Stokes), and the 9th district in Tennessee (Ford).

Redistribution of Blacks in Central Cities and Suburbs

One of the big stories of the 1970s and early 1980s was the dramatic increase in black suburbanization and the corollary trend of blacks moving out of central cities. The trickle of black suburbanization in the 1960s became a steady stream during the 1970s as the black population in the suburbs grew by nearly 2.5 million, compared with an increase of just over 2 million blacks in central cities (O'Hare: 1982). The black suburban population (those living inside metropolitan areas but outside central cities) grew by 70 percent during the 1970s.

The net movement of blacks out of central cities to suburbs increased steadily during the 1970s, and the available evidence indicates that the trend continued through the mid-1980s. There was an annual net migration (O'Hare: 1989) of about 200,000 blacks out of central cities for each year between 1980 and 1984.

Table 2.2. Population Change in Congressional Districts Represented by Blacks

State/ District	Incumbent	Percent Black in 1980	Estimated Percent Population Change 1980-86	District Population 1990	1990 Ideal District Size	Gap
				(in 1000s)		
California						
District 8	(Dellums)	24	4.7	627	583	–44
District 28	(Dixon)	37	9.2	604	583	–21
District 29	(Hawkins)	51	10.8	617	583	–34
District 31	(Dymally)	31	11.2	620	583	–37
Georgia						
District 5	(Lewis)	60	3.7	583	555	–28
Illinois						
District 1	(Hayes)	90	–3.0	495	581	+86
District 2	(Savage)	66	2.2	538	581	+43
District 7	(Collins)	60	–2.1	502	581	+79
Maryland						
District 7	(Mfume)	70	–3.6	497	591	+94
Michigan						
District 1	(Conyers)	66	–6.3	463	581	+118
District 13	(Crockett)	67	–13.6	403	581	+178
Mississippi						
District 2	(Espy)	53	–0.9	497	540	+43
Missouri						
District 1	(Clay)	46	–2.8	521	577	+56
District 5	(Wheat)	20	–0.8	540	577	+37
New Jersey						
District 10	(Payne)	51	–2.3	505	562	+57
New York						
District 6	(Flake)	47	1.4	528	573	+45
District 11	(Towns)	47	–2.6	495	573	+78
District 12	(Owens)	78	3.4	546	573	+27
District 16	(Rangel)	49	–0.2	515	573	+58
Ohio						
District 21	(Stokes)	58	–5.3	471	566	+95
Pennsylvania						
District 2	(Gray)	76	–4.2	483	591	+108
Tennessee						
District 9	(Ford)	51	–3.2	480	552	+72
Texas						
District 18	(Leland)	39	2.7	550	571	+21

Source: Author's compilation from a variety of sources

Although blacks have been moving out of central cities, whites have been moving out at a faster rate, and central city populations have become increasingly black since 1970. In 1986, 22.7 percent of the people living in central cities were black, compared to 20.6 percent in 1970.[6] In many older and larger cities this trend is much more advanced.

This population shift has enormous implications for political power. The number of central cities with a black population majority climbed from two in 1960 to four in 1970 and to ten in 1980. Population trends of the 1980s indicate that the number of black majority cities is likely to triple by 1990.

Table 2.3 on page 16 lists the 28 central cities likely to have a black population majority in 1990. Note that 18 out of these 28 cities will make the transition from black minority to black majority status between 1980 and 1990. This shift in racial composition could spell new electoral success for blacks in these cities following the next redistricting.

It is also noteworthy that a majority of these cities are in the South, and that in most of them the black population will comprise 50 to 65 percent of the total. That by no means assures that the votes of blacks will determine election outcomes. One recent analysis found that only 39 percent of places of 25,000 or more population, located in the South where the population was 50 to 65 percent black, had a black mayor (O'Hare: Forthcoming). According to the 1987 edition of *The National Roster of Black Elected Officials*, prepared annually by the Joint Center for Political Studies, only 9 of the 28 cities that will have black majorities by 1990 currently have a black mayor.

Andrew Young, the Mayor of Atlanta, is one of the many black mayors elected in black majority cities.

In addition to the growing number of black majority cities, there are 22 major cities where the black population will comprise between 40 and 50 percent of the total population in 1990. Many of these may be ripe for the election of a black mayor during the 1990s. Some of the most notable black electoral successes of the 1980s (for example, mayoral races in Chicago and Philadelphia) occurred in cities that were 40 to 50 percent

6. The 1986 figures reflect the populations in central cities and suburbs of many areas that were not included in the calculations for 1970 and 1980. Changes in the boundaries of metropolitan areas make it hard to assess changes in population over time.

black. However, the fact that Chicago recently elected a white mayor shows how fragile the coalitions which elect black mayors in this type of city can be.

Table 2.3. Central Cities Likely to Have a Black Population Majority in 1990

	Projected Percent Black in 1990	Black Mayor in 1989
Northeast		
*Atlantic City, New Jersey	57	yes
*Harrisburg, Pennsylvania	62	no
Newark, New Jersey	62	yes
*Trenton, New Jersey	55	no
Midwest		
*Cleveland, Ohio	50	no
Detroit, Michigan	83	yes
*Flint, Michigan	55	no
*Gary, Indiana	56	yes
*St. Louis, Missouri	50	no
South		
*Albany, Georgia	57	no
*Alexandria, Louisiana	59	no
Atlanta, Georgia	82	yes
Augusta, Georgia	57	no
Baltimore, Maryland	63	yes
*Baton Rouge, Louisiana	56	no
Birmingham, Alabama	71	yes
*Charleston, South Carolina	51	no
*Columbia, South Carolina	51	no
*Jackson, Mississippi	60	no
*Macon, Georgia	52	no
*Memphis, Tennessee	58	no
*Monroe, Louisiana	59	no
New Orleans, Louisiana	66	yes
*Pine Bluff, Arkansas	57	no
Richmond, Virginia	61	no
*Savannah, Georgia	53	no
Washington, D.C.	70	yes
Wilmington, Delaware	59	no

** The asterisk indicates a central city changing from black minority to black majority status between 1980 and 1990.*

Source: Population figures are the author's projections based on 1970 to 1980 trends. Data on black mayors is from the Joint Center for Political Studies.

Blacks in the Suburbs

About a quarter of the U.S. black population now resides in the suburbs. The percentage of blacks in suburbia varies dramatically from one region to another, however. In the West, one-third of the region's blacks lived in the suburbs in 1980, while in the Midwest less than one-fifth did.

Blacks comprise a growing share of the suburban population. In 1986, 6.3 percent of the suburban population was black, compared with 4.8 percent in 1970. Correct interpretation of these figures, however, is confounded by the fact that many new urban centers have been classified as metropolitan areas since 1970.

The number of blacks moving out of central cities and into nearby suburbs has increased during the 1980s.

Whether the increased movement of blacks from central cities to suburbs signals a new degree of integration, or simply the expansion of urban ghettos across city lines, is not yet clear. One recent study found that the suburbs were generally less segregated than the central cities but still exhibited a high degree of residential segregation (Massey & Denton: 1988). If black suburbanization results in greater geographic diffusion of blacks, it will be more difficult to construct districts with black population majorities.

On the other hand, the growing suburban presence of blacks may open up election possibilities in smaller suburban communities where blacks have become the dominant demographic group. In addition, many state legislative districts are likely to be moved from the central cities to the suburbs because of shifts in total population, and blacks may be

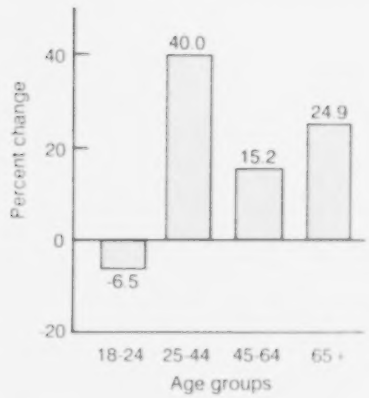
electable in some of these districts, particularly those near central cities which have shown the most black suburbanization.

The black suburban populations in four metropolitan areas (Washington, Los Angeles, Atlanta, and Chicago) grew by more than 100,000 during the 1970s. Other areas with high rates of black suburbanization include Miami, St. Louis, Newark, and Baltimore.

Black Age Structure

Because blacks have higher fertility rates and lower life expectancy than whites, they comprise a relatively larger share of young age groups and a relatively smaller share of older age groups. For example, blacks constitute 15 percent of the population under age 5, but only 7.6 percent of those age 85 plus.

Figure 2.1. Change in Blacks by Age Group: 1980 to 1990



Source: U.S. Bureau of the Census

Racial differences in age structure have ramifications for political participation. By 1990, 12.4 percent of the overall population will be black, but only 11.3 percent of the voting-age population will be black. Consequently, blacks must constitute significantly more than half the total population of an election district before they comprise more than 50 percent of the district's voting-age population.

One important trend of the 1980s is the movement of black baby boomers into older age groups which have higher rates of political participation. In 1980, 23 percent of the black voting-age population was in the 18- to 24-year-old age group, whose rate of voter registration for the election of November 1988 was 50 percent. By 1990, the number of blacks in this age group will decrease by 6.5 percent and they will account for only 18 percent of the black voting-age population (see Figure 2.1). Meanwhile, the 25- to 44-year-old group, which had a voter registration rate of 62 percent in 1988, will rise from 41 percent of the black voting-age population in 1980 to 47 percent in 1990.

If age-specific rates of political participation remain constant, this demographic trend should improve the black turnout in the 1990s. However, the same aging trend is evident among whites, so their voter turnout rate is also likely to rise. Furthermore, the impact of the aging of the electorate may be offset by declining rates of participation at all ages.

Section 3. Blacks, the Changing Political Climate, and Redistricting

by Linda Williams

Two simple facts illustrate the importance of legislative redistricting to blacks' aspirations for greater political empowerment. First, despite the substantial progress that blacks have made in winning public office in the last 25 years, they remain grossly underrepresented in the nation's elective offices. Less than 1.5 percent of the total number of elected officials in the United States are black. Undoubtedly, one important reason for this is the way congressional, state, and local district boundaries have been drawn. Redistricting—or more precisely, racial gerrymandering—helps explain the underrepresentation of blacks in public office.

The importance of redistricting to black political empowerment is also illustrated by developments that followed the reapportionment and redistricting in the 1980s. The effect of redistricting following the 1980 Census was a sharp increase in the number of black elected officials — from 5,160 in 1982 to 5,606 in 1983 (Joint Center for Political Studies: 1986).

This section provides a brief overview of the key factors in the redistricting process as they relate to black political empowerment.

Lessons from the Past

There are two lessons that blacks and their allies should have learned from the redistricting process during the 1980s: 1) blacks need to be prepared to play an important role in redistricting even before the release of new census data early in 1991; and 2) challenges in the state legislatures and in the courts to state and local redistricting plans can be productive.

In many states where one or the other party was firmly in control, the redistricting process in the 1980s was overtly partisan. For example, in Indiana, the district map adopted by the Republican-controlled legislature in 1981 constituted a textbook case of political gerrymandering. The new district boundaries were drawn with the help of a sophisticated computer system at a cost of more than $250,000. The boundary lines wove freely in and out of counties, concentrating Democratic voting strength into the districts of just three of the state's six Democratic members of Congress while seeking to damage the reelection prospects of the other three. In California, the Democratic-controlled state legislature adopted a redistricting plan that prompted the Republicans to bring suit claiming partisan political gerrymandering.

There is every reason to expect the redistricting process to be even more driven by partisan interests in the 1990s than in the 1980s. Both

parties have special units which have been working on redistricting in the 1990s for several years. Each party boasts that it has begun its efforts earlier than it did for redistricting in the 1980s, and each has reported that it had already spent more than a million dollars by October 1988 on those efforts. And both parties have promised to spend much more (New York Times: 1988).

The vast majority of blacks still identify with the Democratic party.[7] Yet blacks should not conclude that Democratic aspirations for redistricting and black aspirations for more black elected officials necessarily go hand in hand. Understandably, the Democrats' goal is to elect more Democrats. In some instances, that could mean alliances of conservative elements in both major parties against more progressive elements. Moreover, big wins for the Democrats do not always mean big advances for blacks. In 1986, for example, Democrats took control of an additional 189 state legislative seats, but blacks made a gain of only 14 state legislators, despite the heavy concentration of blacks among Democratic voters. Thus, blacks should not rely simply on the Democratic party's redistricting plans. They must take more responsibility for developing their own plans while also seeking more input into Democratic party redistricting efforts.

"There is every reason to expect the redistricting process to be even more driven by partisan interests in the 1990s"

Another development in the 1980s was an attempt on the part of the Republican party in several southern states, including Georgia, Mississippi, and Virginia, to woo blacks into coalitions. One of the GOP's goals was to create safe majority black districts while creating adjoining districts that would be heavily white. The presumption was that these new and predominantly white districts would then fall into Republican hands.

To be sure, electoral arithmetic demonstrates that the higher the proportion of blacks in a congressional district, the greater the chances that the district will be represented by a Democrat. An analysis of membership in the last Congress showed that where blacks comprised

7. According to an August 1988 poll conducted by the Gallup Organization for the Joint Center for Political Studies, 72 percent of blacks identified with the Democratic party and 10 percent reported that they were independents who lean more to the Democratic party. By comparison, only 7 percent of blacks reported that they identified with the Republican party and 2 percent said they leaned toward the Republican party.

less than 10 percent of a district's total voting age population, the seat was equally likely to be held by a Republican or a Democrat; where blacks comprised between 10 and 19 percent of a district's population, 69 percent of the seats were held by Democrats; and in districts where blacks comprised 20 percent or more of the population, 80 percent of the seats were held by Democrats (Joint Center for Political Studies: 1988).

One should therefore not be surprised by efforts on the part of the Republicans to create "strange bedfellows" coalitions with blacks as the redistricting process unfolds after 1990. Indeed, the partisan nature of redistricting and its effects on black representation are likely to be even more volatile and contentious in the 1990s than they were in the 1980s.

While there were some efforts by organizations like the NAACP and the National Urban League to promote black participation in the census (primarily to reduce the undercount of blacks) in 1980 by communicating the importance of completing census forms, few black organizations or leaders—including caucuses of black state legislators—went armed to redistricting battles with data, maps, and plans of their own. The chief activity on the part of most black leaders and groups was reaction—challenging redistricting plans after they were offered. Most states, of course, adopted plans that put equal numbers of people in each district, but in many places (particularly in the South), district lines were often drawn so as to dilute the voting strength of minorities. It was on this basis that redistricting plans were successfully challenged in the courts in Texas, North Carolina, Alabama, South Carolina, Virginia, Louisiana, and Mississippi. Local redistricting disputes arose in Detroit, Chicago, Los Angeles, and many other non-southern cities. Redistricting disputes in some states meant that district lines were not finalized until almost midway through the 1980s. All in all, more than 200 local governmental jurisdictions were sued in federal courts.

Mike Espy (D-Mississippi) was elected to Congress from a black-majority district that was created through litigation.

In some instances, there were magnificent successes. Perhaps the most widely discussed success was the transformation of the Mississippi 2nd congressional district (the Delta) into a majority black district. Today, it is represented by a black congressman, Rep. Mike Espy.

The Changing Political Climate

When the last census count was taken, Jimmy Carter, a Democrat, was the president. Given the importance of the black vote to Democrats, the Carter administration was very interested in making sure blacks were counted in the census. This time around there is a Republican administration which may not be as interested in making sure blacks and other minorities are counted.

Finally, court suits filed in opposition to redistricting plans may be much less successful, given the Reagan legacy to the federal court system. Close to half the present federal judges were appointed by President Reagan. Many, if not most, were not just "Republican" appointees, but ideological compatriots of Mr. Reagan. Litigators on behalf of minority challenges to redistricting plans may find these judges to be far less likely to rule in their favor. If the courts are likely to be less friendly to minority interests in the 1990s, more should be done to influence the process of redistricting before plans are formally adopted.

Toward a Proactive Plan for Redistricting

The Census Bureau is seeking to produce a more accurate count of the minority population in 1990. To obtain greater black cooperation in the census, the Bureau will sponsor public service advertisements on black radio stations and will seek help from local governments, community organizations, civil rights organizations, state social service agencies, the public schools, black businesses, and black churches in this task. Black research and advocacy groups will complement the Census Bureau's activities with efforts of their own. Furthermore, several minority organizations are preparing to draw maps and plans, updating their skills in the new computer technology, holding conferences to share knowledge about what each group is doing, and developing promotional materials. These efforts have begun far earlier than they did in preparation for the 1980 Census.

The groups most involved in the process thus far include the Southern Regional Council, based in Atlanta, which is covering the southern region, particularly Georgia, Alabama, South Carolina, North Carolina, and to a somewhat lesser extent Mississippi; the Joint Center for Political Studies in Washington, D.C. held a conference in February 1989 on census undercount and plans to hold training workshops on redistricting for black elected officials, community leaders, and activists regarding redistricting; the NAACP, which has 2,200 branches throughout the nation; the Urban League, which is focusing on the nation's largest cities; the Congressional Black Caucus, which held two workshops on redistricting during 1988; and the Lawyers' Committee for

Civil Rights Under Law, which will hold a redistricting conference in the Spring of 1990.[8]

The Good News and the Bad News for Blacks

There have been some positive political developments over the past decade that should make blacks a stronger force in the upcoming redistricting process.

First, the number of black elected officials at every level of government has grown. In 1980, there were 4,912 black elected officials in the nation; by January 1989, there were 6,829 black elected officials (see Table 3.1). In addition, there are presently 24 black members of Congress.[9] Many of these officials won their seats as a result of redistricting in the 1980s, and that should make them likely to keep a keen eye on the process this time around.

Table 3.1. Number of Black Elected Officials by Office, 1980-1988

Year	Total Black Elected Officials*	Office					
		Congress	State	County	Municipal	Judicial/ Law Enforcement	Education
1980	4,912	17	323	451	2,356	526	1,214
1981	5,038	18	341	449	2,384	549	1,267
1982	5,160	18	336	465	2,477	563	1,266
1983	5,606	21	379	496	2,697	607	1,377
1984	5,700	21	389	518	2,735	636	1,371
1985	6,056	20	396	611	2,898	661	1,438
1986	6,424	20	400	681	3,112	676	1,504
1987	6,681	23	417	724	3,219	728	1,547
1988	6,829	23	413	742	3,341	738	1,550

**Total includes black officials elected to substate regional boards or commissions. These officials are not listed separately in the table.*

Source: Joint Center for Political Studies, *National Roster of Black Elected Officials*, 1988 edition.

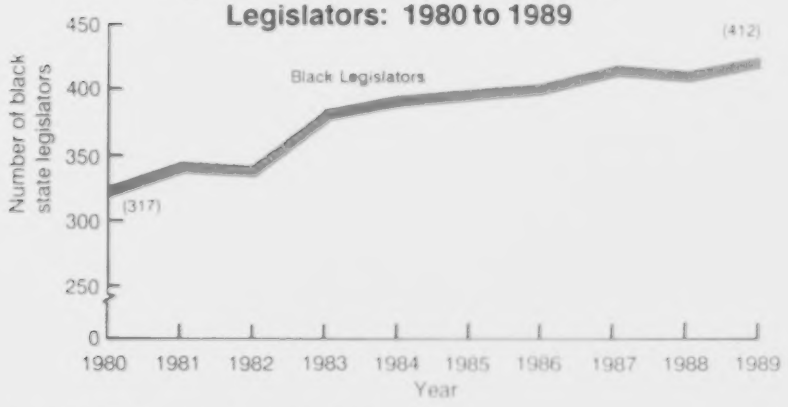
8. See *Redistricting Resources for Minority Groups*, Section 8.

9. This figure includes Walter Fauntroy, who is a nonvoting member from the District of Columbia.

As a result of the Supreme Court's decision in *Thornburg v. Gingles* and other rulings (see Section 6 of this booklet for more information on this topic), many states and localities are now changing their election systems from at-large or multi-member districts to single-member districts. As a result, the redistricting process will be more extensive and have greater consequences for minorities than it did in the 1980s. It is particularly significant that there are more blacks in state legislatures today than there were in the early-1980s (see Figure 3.1). In 1982, when most of the current district plans were adopted, there were 336 black state legislators; as of 1989 there are 412. Since state legislatures have even greater influence on redistricting plans than governors, blacks are better positioned to play a more significant role in the process. At the same time, growth in the number of black state legislators since 1980 demonstrates that redistricting can result in an immediate boost in political representation. The number of black state legislators went up by 45 in one year alone immediately after the redistricting based on the 1980 Census.

Blacks should also be more influential in the redistricting process of the 1990s because they are voting at higher rates than they did prior to 1980. Between the presidential elections of 1980 and 1984 the gaps in voter registration and voter turnout between blacks and whites narrowed. These gains were particularly significant in the South (see Table 3.2).

Figure 3.1. Number of Black State Legislators: 1980 to 1989



Source: Joint Center for Political Studies, Inc.

Table 3.2. Blacks and Whites Registered and Voting in Presidential Elections Since 1980

	1988	1984	1980
Percentage Registered			
All Regions			
White	67.9	69.6	68.4
Black	64.5	66.3	60.0
Difference	3.4	3.3	8.4
North and West			
White	68.5	70.5	69.3
Black	65.9	67.2	60.6
Difference	2.6	3.3	8.7
South			
White	66.6	67.8	66.2
Black	63.3	65.5	59.3
Difference	3.3	2.2	6.9
Percentage Voting			
All Regions			
White	59.1	61.4	60.9
Black	51.5	58.9	52.8
Difference	7.6	5.6	10.4
North and West			
White	60.4	63.0	62.4
Black	55.6	58.9	52.8
Difference	4.8	4.1	9.6
South			
White	56.4	58.1	57.4
Black	48.0	53.2	48.2
Difference	8.4	4.9	9.2

Note: Data are from postelection sample surveys. Thus, the percentages reflect those who reported being registered or voting. These percentages are usually higher than the percentages of people who actually registered and voted. Some researchers have concluded that blacks overreport more than do whites.

Source: U.S. Bureau of the Census, Current Population Reports, Series P-20, no. 435, Voting and Registration in the Election of November 1988 (advance Report)

Between 1984 and 1988, the gap between blacks and whites widened, but did not entirely erode the gains made between 1980 and 1984.

One of the best examples of greater black political clout was the role of blacks in returning the U.S. Senate to Democratic control. In four key southern Senate races, the victorious Democratic candidate lost a majority of the white vote but won because of overwhelming support from blacks. As a result, some Democrats have demonstrated greater sensitivity to the interests of blacks. This was clearly the case among southern Democrats regarding the nomination of Robert Bork to the

Voting registration drives in black communities are credited with increasing the level of black voter registration in the early 1980s

Supreme Court Senator Bennett Johnston of Louisiana led southern Democratic senators in opposition to Bork, citing the importance of not alienating black voters.

Meanwhile, Republican National Committee (RNC) Chairman Lee Atwater (Atwater, 1989) has said the Republicans are planning to make a stronger appeal to black voters because Republicans "lost control of the Senate in 1986 because we picked up so few black votes."

Another important political development has been the dramatic increase in the size of the Hispanic population (see Section 4 of this booklet), growth which has often occurred in close proximity to blacks. This provides unprecedented opportunities for coalition-building between the two groups.

These optimistic notes are counterbalanced by certain negative developments, such as large declines in the populations of many majority black districts. Table 3.3 on page 30 indicates that 20 of the 24 congressional districts presently represented by blacks either lost substantial proportions of their populations or did not grow significantly. As a result, these 20 districts will undergo significant boundary changes. Particularly vulnerable are Rep. Crockett's district (MI-13th), Rep. Conyers' district (MI-1st), Rep. Hayes's district (IL-1st), and Rep. Towns's district (NY-11th). Many of these districts are in states projected to lose two or three seats due to reapportionment, namely, New York, Illinois, Michigan, and Ohio.

In Illinois, one of the two congressional districts that will be eliminated will come from Cook County (Chicago). Since all three majority black districts in the state are in Cook County, attention must be paid to making sure that none of those districts is the one eliminated.

There is a similar problem in Michigan. Wayne County (Detroit) is expected to lose more than 200,000 people between 1980 and 1990.

and therefore to lose a congressional seat as well. By 1990, the 13th district, represented by Crockett, will be underpopulated by about 150,000, while the 1st district, represented by Conyers, will be underpopulated by 99,000.

In Mississippi, the 2nd district represented by Espy will be underpopulated by more than 43,000 people in 1990. To maintain a black majority, map makers will need to add blacks from the Jackson area.

Although Missouri is not scheduled to lose any congressional seats, the 1st district (St. Louis), represented by William Clay, will be underpopulated by 50,000 people after 1990, and the district's boundaries are likely to be redrawn to include parts of one of two suburban districts, either the 2nd (where blacks currently comprise 5 percent of the population) or the 3rd (where blacks are only 1 percent of the population).

The 2nd district of Louisiana (currently 52 percent black and now the only majority black district represented by a white) will be underpopulated by almost 70,000 people. While this district is safely Democratic, it remains to be seen whether it will remain a majority black district after the necessary infusion of population from the largely white New Orleans suburbs after 1990.

Although the boundaries of Louisiana's 8th district should not change much, there may be ways to redraw this district to increase its black composition (currently 36 percent black).

Alabama's 6th district (which was 31 percent black after the 1980 redistricting) is likely to become less so since it will have to add close to 50,000 people from areas that are largely white. Similarly, Indiana's 1st district (once represented by a black, former Rep. Katie Hall) will be substantially underpopulated after 1990. Its new boundaries are likely to make it substantially more white.

Still, there are several places where electoral opportunities for blacks can be achieved by redistricting. While the black populations are large and growing in several of the states likely to gain seats due to reapportionment (California, Texas, Florida, Georgia, and Virginia), the out-migration of blacks from central cities to suburbs is reducing the concentration of blacks in ways that make carving out majority black districts more difficult.

Some projections show that population increases in North Carolina may award that state one more seat.[10] Here, too, is a place to target a

10. Reapportionment Summary, Project 500, Washington, D.C.

Table 3.3. Projections of the 1990 Population of Congressional Districts with Black Representatives

State and Congressional District No.	1990 Population Estimate (in 1000s)	Percent Change 1980-90	1990 Ideal Population (in 1000s)	Change Needed to Match Ideal Population
California				
8	548	–7.9	571	+23
28	589	15.5	571	–18
29	604	18.2	571	–32
31	607	18.9	571	–36
District of Columbia				
At–Large	618	–3.2	N/A	N/A
Georgia				
5	573	6.2	588	+15
Illinois				
1	492	–5.1	580	+88
2	537	3.7	580	+44
7	499	–3.5	580	+81
Maryland				
7	494	–6.1	579	+84
Michigan				
1	470	–10.6	569	+99
13	412	–22.9	569	+157
Mississippi				
2	502	–1.5	546	+43
Missouri				
1	516	–4.7	570	+54
5	535	–1.3	570	+35
New Jersey				
10	505	–3.9	556	+51
New York				
6	527	2.4	577	+50
11	493	–4.4	577	+84
12	546	5.7	577	+31
16	513	–0.3	577	+64
Ohio				
21	467	–8.9	561	+94
Pennsylvania				
2	483	–7.1	567	+85
Tennessee				
9	479	–5.4	551	+72
Texas				
18	527	4.5	580	+49

Source: Project 500 and National Committee for an Effective Congress, Washington, D.C.

new majority black district, perhaps near the Raleigh-Durham area or around Charlotte. South Carolina will continue to have six congressional districts, but population shifts within the state may make it possible to carve out a heavily black district near Charleston or Columbia.

The Houston metropolitan area and the Dallas-Fort Worth metropolitan area are expected to get two of the seats Texas will pick up after the 1990 Census. The best prospect for creating a new black district in Texas is in the Dallas-Fort Worth area.

In Virginia, the Tidewater region is gaining population rapidly, but blacks in the Tidewater must overcome the substantial competition they will face from rapidly growing Northern Virginia to win Virginia's new district after the 1990 reapportionment.

"Redistricting always involves political conflict, but it also presents new opportunities."

Less is known at present about possible changes in state legislative districts. Recent trends in the election of blacks to state legislatures, however, demonstrate the importance of redistricting at this level. As Figure 3.1 shows, the number of blacks winning state legislative seats has grown only slightly in the last five years. Redistricting in the 1990s should, as it did in the 1980s, be a way to boost these numbers significantly.

Conclusion

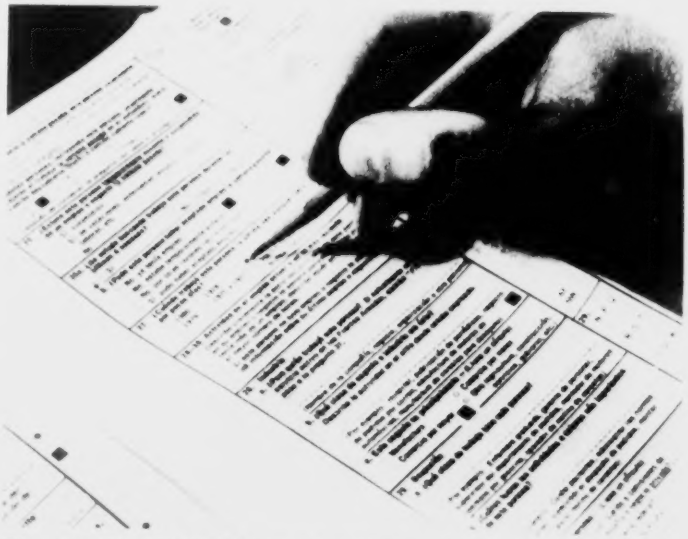
Redistricting always involves political conflict, but it also presents new opportunities. Although population growth among blacks has been greater than that among whites, the gains to be derived through redistricting will depend on political skills as much as on population growth. Those who are best organized are likely to reap the biggest rewards. Black organizations and other organizations that work closely with blacks are giving more attention to the redistricting process than they did in the late 1970s.

Finally, it is significant that this book is being issued 25 years after passage of the Civil Rights Act of 1964. Proper preparation for redistricting in 1991 and 1992 could provide further movement toward realizing the truly equal and just society that those who struggled, encouraged, and lobbied Congress for passage of the Act only dreamed of, while disorganization and lack of preparation will mean, in the words of Langston Hughes, "a dream deferred." Hopefully, this book represents a small step toward realization of the first alternative.

Section 4. Latino Representation and the 1990 Census

by Robert Brischetto

The reapportionment and redistricting of congressional seats and the redistricting of state and local political entities will shape the nature of the political game throughout the 1990s. To come out ahead, a group must have a numeric/geographic advantage and a political advantage. Whether a group has a numeric/geographic advantage is determined by the census count and the geographic locale of the group relative to the size and locale of other groups. Political advantage depends for the most part on what role the group plays in the redistricting process. The purpose of this section is to assess the relative advantage or disadvantage of the Latino[11] population in regard to reapportionment and redistricting. Indirectly, this section may provide some ideas about how Hispanics should prepare to influence the redistricting process.



The completion of 1990 Census questionnaires by Latinos and other Americans will provide the fundamental data used in redistricting.

The Political Demography of Latinos

Latinos, referred to in Census Bureau documents as "Persons of Spanish Origin," are the second largest and the fastest-growing minority in the United States. The Latino population increased 5 times as fast as the rest of the population during the 1980s, reaching a total of nearly 20 million by the time of the 1988 election. It is estimated that by the time of the 1990 Census there will be 22.3 million Latinos in the United States.

As a result of their phenomenal rate of population growth, the Latinos as a proportion of the total population has steadily increased. In

11. In this section the terms Latino and Hispanic are used interchangeably.

1970, Hispanics were estimated by the Census Bureau to be 4.5 percent of the total population; in 1980, 6.4 percent; and in 1988, 8.1 percent.

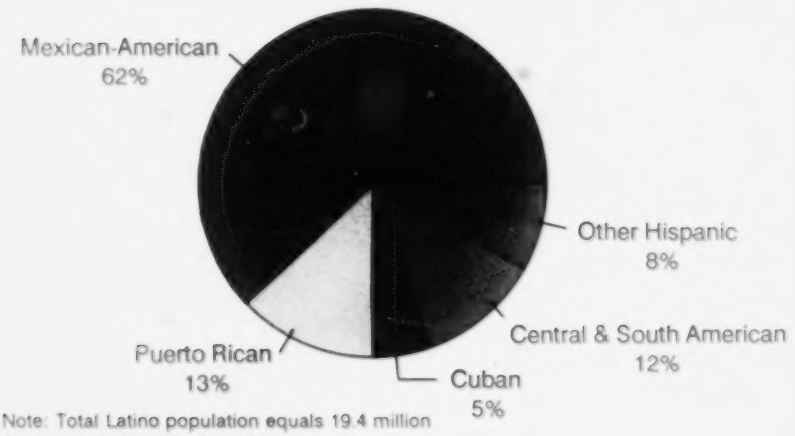
National Origin and State of Residence

Although Latinos in the United States share a common language, the major Latino subgroups have their own political and cultural history, often rooted in their country of origin. The various Hispanic subgroups are also concentrated in different regions of the United States. Lumping these diverse groups into a single monolithic electorate is an error frequently made by the national media, pollsters, and the general public.

Mexican-Americans constitute the largest of the Latino subgroups (see Figure 4.1). More than 6 in 10 of all U.S. Latinos are of Mexican origin. There was a 40 percent increase in the Mexican origin population from 1980 to 1988, 6 times the rate of increase among non-Latinos. Three-fourths (77 percent) of the Mexican origin population is concentrated in California and Texas, and close to 90 percent reside in the five southwestern states.

Puerto Ricans are the next largest Latino subgroup, comprising 13 percent of all Hispanics. Since Puerto Ricans are U.S. citizens by

Figure 4.1. U.S. Latino Population by Subgroup: 1988



Note: Total Latino population equals 19.4 million
Source: U.S. Bureau of the Census

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definition, however, they constitute somewhat more than 13 percent of the Hispanic electorate. Puerto Ricans are also the poorest of the major Hispanic subgroups. From 1980 to 1988, there was a 25 percent increase in the number of Puerto Ricans living in the United States. Puerto Ricans are concentrated in the Northeast, with half of them in New York and New Jersey. About one-sixth live in Illinois, primarily in the Chicago area.

Central and South Americans now make up 12 percent of all Latinos. Economic depression and political turmoil produced large numbers of immigrants from Central and South American countries during the 1980s, and three out of four are found at ports of entry in California, Florida, New York, and New Jersey.

Cubans comprise 5 percent of the Latino population and are concentrated on the eastern seaboard, with 60 percent living in Florida, and another 20 percent residing in New Jersey and New York. Cubans are older, more educated, and have higher incomes, on average, than other Latino groups. Recent immigrants account for some of the 30 percent increase in Cubans since the 1980 Census.

"The 1980 Census showed that 26 percent of Hispanic adults were not citizens."

The term "Other Hispanic" is used by the Census Bureau to identify all Latinos not identifying themselves as members of any of the preceding categories. These include the "Hispanos" who were rooted in their native New Mexico even before it became a state, Dominicans (located mostly in New York), and other Latinos from the Caribbean.

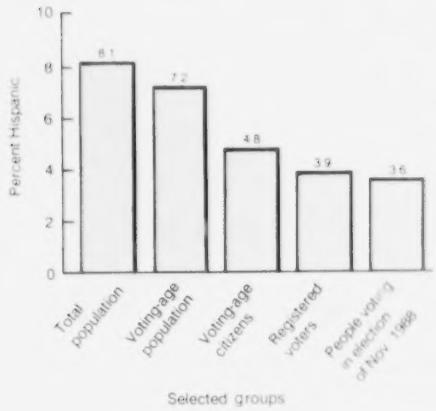
Age and Citizenship

While rapid population growth and geographic concentration have enhanced the political importance of Latinos, other factors tend to depress their political clout. Among the factors that account for this reduced clout are a relatively youthful age structure, the large number of Hispanics who are not citizens, and lower rates of voter registration and turnout.

Latinos are considerably younger than the rest of the population. In 1988, the median age of Hispanics was 25.5; for non-Hispanics the median age was 32.9. Only two-thirds of all Latinos were of voting age, compared to three-fourths of all non-Hispanics. There is evidence, however, that the median age of Latinos is rising.

The evidence on citizenship status is less reliable. The 1980 Census showed that 26 percent of Hispanic adults were not citizens. According to Census Bureau officials, however, that may have been an underestimate, since foreign-born persons tend to overreport that they are naturalized.

Figure 4.2. Latinos as a Percent of Selected Populations: 1988



Source: U.S. Bureau of the Census

The November 1988 Current Population Survey conducted by the Census Bureau indicated that the percentage of non-citizens among Hispanics might be as high as 37 percent. But this apparent increase in Hispanic noncitizens may stem, in part, from changes in the way the Bureau estimates the size of the Hispanic population.[12]

Age and citizenship status in combination explain much of the underrepresentation of Latinos at the ballot box. While an estimated 72 percent of all non-Latinos are eligible to vote because they are citizens of voting age (18 or older), only 41 percent of all Latinos are eligible (U.S. Bureau of the Census: 1989). This explains why Latinos are 8.1 percent of the total population but only 4.8 percent of those eligible to vote (see Figure 4.2).

Latino Voter Participation in the 1980s

Even after age and citizenship status are taken into account, Latinos still register and vote at lower rates than whites or blacks. Voter registration as a percentage of those eligible is highest for whites: 7 in 10 were registered to vote in 1988. About two-thirds of eligible blacks were registered. Voter registration among Hispanics was a full ten percentage points below that of blacks.

Voter turnout in 1988 as a percentage of eligible voters was down even more than registration since the 1984 presidential election—down

12. Conversations with Census Bureau personnel indicate that since amnesty was granted to many undocumented immigrants under the Immigration Reform and Control Act of 1985, respondents were more likely to acknowledge the fact that they were not citizens.

2 percentage points among whites, four points among blacks, and 2 points among Hispanics. The Census Bureau reports that the 1988 turnout rate among all voters was the lowest recorded since the survey was begun in 1964.

Despite relatively low rates of registration and turnout, the rapid growth of the Latino electorate has meant greater weight for Latino voters. The number of Latino voters grew by 51 percent between 1980 and 1988, compared to 8 percent for whites and 22 percent for blacks.

Latino Representation in Government

While Latinos constituted 8.1 percent of the population in 1988, they held less than 2 percent of elective offices. There were nine[13] Latino members of Congress in 1989, fewer than one-fourth of what would be expected if Latinos were represented in Congress in the same percentage as they are in the total population.

Table 4.1. Changes in Hispanic Population and Congressional Seats in Selected States With Large Hispanic Populations, 1980-1990

	Hispanic Population			Congressional Seats		
State	Actual 1980 (in thousands)	Projected 1990 (in thousands)	Percent Change, 1980-1990	After 1980 Reapportionment	After 1990 Reapportionment	Change
California	4,544	7,862	73.0	45	51-52	+6-7
Texas	2,986	4,623	54.8	27	30-31	+3-4
New York	1,659	2,252	35.7	34	31	-3
Florida	858	1,300	51.5	19	22	3
Illinois	636	1,006	58.2	22	20	-2
New Jersey	492	733	49.0	14	14	0
Arizona	441	685	55.3	5	6-7	+1-2
New Mexico	477	672	40.9	3	3	0
Colorado	340	457	34.4	6	6	0
Total	12,433	19,590		175	183-186	+8-11

Sources: U.S. Bureau of the Census, 1980 Census of Population, General Population Characteristics, Series PC80-1-B, 1990 Projections made by William O'Hare, Population Reference Bureau; Reapportionment figures compiled from various sources.

13. There were also three Latinos who were non-voting members of Congress: one each from Puerto Rico, The Virgin Islands, and Guam.

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By the same standard, one would expect to find 443 Hispanic state representatives and 162 Hispanic state senators. In fact, there were 84 and 37, respectively—about one-fifth the number expected.

On the county and city levels, only 1 percent of all elected officials are Hispanic, less than one-eighth of what would be expected from their numbers in the population. Hispanic representation on school boards is only 1.8 percent, approximately one-fifth of what would be expected if parity existed.

Prospects for Greater Congressional Representation

The Latino population is concentrated in several states that play a key role in national elections. Almost 90 percent of Latinos are found in nine states which now have 40 percent of all congressional seats and 71 percent of the 270 electoral votes needed to win the presidency. Collectively, these nine states will probably gain 8 to 11 seats after the 1990 reapportionment process (see Table 4.1, page 37).

The population of Mexican origin is concentrated in those states which stand to gain the largest number of congressional seats in the 1990 reapportionment. Eight out of every ten Mexican-Americans are found in three states—California, Texas, and Arizona—that may gain as many as thirteen new seats in Congress following the 1990 reapportionment. Puerto Ricans, because they are concentrated in the Northeast and Midwest, may lose the most in the reapportionment process. New York is expected to lose three seats, and Illinois two. Cubans are concentrated in Florida, where a net gain of three seats is anticipated.

E. (KiKi) de la Garza (D-Texas) was one of five Hispanics in Congress prior to redistricting in 1981 and 1982.

Table 4.2 lists the 19 congressional districts where at least 30 percent of the population was Hispanic in 1980. It shows the growth that occurred during the first six years of the 1980s. The greatest growth occurred in California, Texas, and New Mexico. All of the congressional districts in New York with Hispanic populations of at least 30 percent declined in total population size between 1980 and 1986.

Only two of the current Hispanic members of Congress were elected from districts that were less than 50 percent Latino in 1980. There were two other districts, one in Texas and one in Florida, where the Hispanic population was more than 50 percent of the total population in 1980, but which do not have a Hispanic representative.

Table 4.2. Congressional Districts With 30 Percent or More Hispanic Population in 1980

State	Congressional District #	Percent Hispanic in 1980	Percent Change in Population 1980-86	Hispanic Representative, 1989
Arizona	2	35.5	7.4	
California	25	63.3	11.8	Roybal
California	29	36.5	10.8	
California	30	54.4	13.1	Martinez
California	34	47.4	12.0	Torres
Florida	18	50.7	5.7	
Illinois	8	31.6	0.4	
New Mexico	1	37.4	12.9	
New Mexico	2	33.6	14.2	
New Mexico	3	39.0	13.6	Richardson
New York	11	38.1	–2.6	
New York	16	37.9	–0.2	
New York	18	51.4	–6.2	Garcia
Texas	15	71.7	21.0	de la Garza
Texas	16	60.2	15.8	
Texas	18	31.2	2.7	
Texas	20	61.7	3.8	Gonzalez
Texas	23	56.2	27.2	Bustamante
Texas	27	61.5	15.7	Ortiz

Source: U.S. Bureau of the Census, Congressional District Profiles, Supplementary Report, PC 80-s1-11, Sept. 1983; 98th Congress and Updates for the States Redistricted for the 99th Congress.

Some of the political impact of the tremendous Hispanic growth rate will be diluted by the anticipated undercount of Latinos in the 1990 Census. At this time no statistical adjustment is planned by the Census Bureau to compensate for this undercount. Even so, Latinos are likely to gain several representatives in Congress following redistricting in the early 1990s.

State Legislative Gains from Redistricting

A look at Latino representation in the state legislatures reveals opportunities for improvement in most states. Only in New Mexico has proportional representation been achieved in the state house of representatives, and only in Colorado has parity been achieved in the state senate (see Table 4.3, page 40). Arizona and Texas approach proportional representation of Hispanics in the state senate. California and New York have only one-third and one-fourth the number of Latino state legislators that one would expect based on population. On average, the proportion of state legislators who are Hispanic is one-half of the group's share of the total population.

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Table 4.3. Hispanic Population and Representation in State Legislatures, 1987

State	Hispanic Percent of State Population	State Senators			State Representatives		
		Total	Hispanic	Percent Hispanic	Total	Hispanic	Percent Hispanic
California	23.0	40	3	7.5	80	4	5.0
Texas	25.7	31	6	19.4	150	19	12.7
New York	12.4	61	2	3.3	150	6	4.0
Florida	10.6	49	1	2.0	120	8	6.7
Illinois	6.0	59	1	1.7	118	2	1.7
New Jersey	9.7	40	0	0.0	80	1	1.3
Arizona	19.6	30	5	16.7	60	5	8.3
New Mexico	37.2	42	13	31.0	70	25	35.7
Colorado	11.0	35	4	11.4	65	5	7.7
Subtotal	16.9	387	34	8.8	893	76	8.5

Sources: U.S. Bureau of the Census, Unpublished data from March 1987 Current Population Survey; The Council of State Governments, *The Book of the States*, Vol. 26, 1986-87 Edition; Hispanic Legislators: National Association of Latino Appointed and Elected Officials Education Fund, *Directory of Hispanic Elected Officials*, 1987.

Since all state legislative districts are single-member districts by law, battle lines will be drawn in those states where Latinos are sufficient in numbers and concentration to form majority or near-majority districts—that is, in California, Texas, New Mexico, Florida, and New York. Whether Latinos side with the party in control of the legislature or with the other party will depend on the extent to which they are included fairly in the redistricting plan developed by the majority party. If the redistricting battles of the past decade are any indication of what will take place after 1990, it is likely that Latinos will challenge the majority party's plan. Incumbents generally do not relinquish control easily.

Local Representation from Redistricting

Latinos are likely to gain the most from redistricting at the local level. This is due to two facts. First, most election districts in local governments are relatively small, and therefore it does not require as many Hispanics to make up a voting majority. Second, Hispanics tend to vote as a bloc, which assures that they will elect the candidate of their choice when they constitute the majority of voters in a district (Engstrom and McDonald, 1988; Grofman, Migalski and Noviello, 1985; Loewen, 1988).

Increases in representation at the local level are likely to occur largely as a result of changes from at-large to single-member districts. Studies of Texas cities have shown that when single-member systems have been adopted, minority representation has more than doubled

(Brischetto and Grofman: 1987). About 60 Texas cities, and about as many Texas school districts, have adopted single-member district systems during the past decade. In New Mexico, a state law was passed in 1985 making single-member districts mandatory for cities, counties, and school districts above a certain size.

Conclusion

Several generalizations can be drawn from available data on changes in the various Latino electorates during the 1980s:

- Latinos are a pluralistic minority. The largest Latino electorate, that of Mexican origin, is strategically located in states experiencing the greatest growth. Given their own rapid population growth, candidates of Mexican origin are likely to gain offices at every level of government after the 1990 Census count is used for redistricting.
- The rapid population growth of Latinos is partly offset by their younger age structure, the greater number of Hispanics who are not citizens, and generally lower levels of political participation. Political mobilization efforts in California, in particular, are adversely affected by the fact that fully half of all Latinos there are not citizens. As the legalization process under the new immigration law unfolds during the five years, this disadvantage will fade, albeit not in time for redistricting.
- Underrepresentation of Latinos at all levels of government is apparent. Legal battles at all levels of government can be expected as Latinos challenge those entrenched in elective positions.
- The shift from at-large to single-member districts in cities, counties, and school districts has opened up new grounds for redistricting litigation after 1990. Latinos will be fighting to consolidate the gains they have made from such reforms.

Redistricting is a destabilizing force which challenges incumbency. The drawing of new political boundaries will provide new opportunities for minority groups to win elective posts at all levels of government. Whether Latinos will benefit fully from this once-in-a-decade opportunity will depend on their level of preparation for the redistricting battles which lie ahead.

Section 5. The Changing Hispanic Political Landscape

by Rodolfo O. de la Garza and Louis De Sipio

The 1990 Census will affect the nation's Latinos in several ways. The results of the census will be the basis for congressional reapportionment and redistricting, which may result in the creation of additional congressional districts represented by Latinos. Census figures will also be used to guide redistricting within the states, a process that should result in more Hispanics being elected to seats in state legislatures. Census results will also be used in challenges to local election systems.

In this section of the booklet we review the experiences of the Latino community regarding reapportionment and redistricting following the 1980 Census, and examine the efforts that are underway to insure that the interests of Latinos are taken into account during the reapportionment and redistricting process arising from the 1990 Census. We also review the implications of census figures for state-level redistricting.

Latinos and the 1980 Census

The 1980 Census set some important precedents. It was the first time that the Census Bureau developed a plan designed to get an accurate count of Latinos in the United States, and it was the first time that Latino organizations made attempts to improve Latino cooperation in the taking of the census. However, many of the problems that arose in 1980 will reappear in 1990.

Solomon Ortiz (D-Texas) was one of five Hispanics elected to Congress following redistricting in 1981 and 1982.

The 1980 Census found approximately 14.6 million Latinos in the 50 states (6.5 percent of the national population) and that was a 61 percent increase over 1970. It should be noted, however, that this increase reflected real growth in the Hispanic population as well as a more accurate count in 1980. The improved count resulted from the Bureau's efforts to maximize Latino participation in the census and to identify Latinos more accurately. The 1970 Census form used only the term "Spanish Origin" to identify Latinos. In 1980, though, the form had a list of categories for self-identification, including Mexican-American, Cuban-American, Puerto Rican, and Other Spanish Origin. The Bureau also sponsored Spanish-language public service announcements on television and radio emphasizing the importance of cooperating with the census.

These efforts were complemented by the Immigration and Nationalization Services (INS), which publicly announced a temporary halt to searches for undocumented immigrants while the census was being conducted. The hope was that this policy would increase the response rate of undocumented aliens to the census. Latino community and advocacy organizations took steps to supplement the Bureau's initiatives. Coalitions in Miami, Chicago, Los Angeles, and New York/Northern New Jersey monitored the implementation of the census. In New York, this effort concentrated on assuring Latinos, some of whom were undocumented immigrants, that they would not be penalized by having census data used against them. Latino organizations in Miami, on the other hand, thought the undocumented were less of a problem than the widespread belief in the Cuban community that there was no benefit in completing an "intrusive" census form. Therefore, Latino groups in Miami focused on the benefits that would accrue to the Latino community by completing the census form. The Mexican-American Legal Defense and Education Fund (MALDEF) sponsored advertisements on the importance of the census in numerous cities with large Latino populations. Several Latino advocacy groups in Washington, D.C., established "Census Watch," a project to collect information about census irregularities.

"The undercount of Hispanics was slightly lower than the estimated 5.9 percent undercount of blacks"

Despite these efforts, the Census Bureau estimates that the 1980 count missed approximately 5 percent of the Latinos living in the United States. The undercount of Hispanics was slightly lower than the estimated 5.9 percent undercount of blacks, but was significantly higher than the 1 percent undercount of non-Latino whites.

Although official estimates of the undercount of minorities did not appear until the mid-1980s, political jurisdictions with large Latino and other minority populations were aware of undercounts resulting from the failure of census enumerators to enter certain neighborhoods and from the inadequacy of address lists and maps used by the Census Bureau. Nationally, thirty-six lawsuits were filed seeking an adjustment of the official count because of alleged undercounting of minorities. Fifteen state and local jurisdictions, ranging from Miami and the State of New York to small towns in rural New Mexico, sought adjustments in the courts because of undercounts of the Latino population. However, the courts found that the jurisdictions could prove no injury and lacked standing to sue.

In another suit filed at the time of the 1980 Census, the Federation for American Immigration Reform (FAIR) tried to prevent the Census Bureau from including undocumented aliens in the population count used to apportion the U.S. House of Representatives. FAIR is a Washington-based group that advocates a restrictive immigration policy. Although the suit was dismissed on grounds that FAIR lacked legal standing, the court also noted that the 1980 count was well underway and that intervention at so late a date would cause undue harm (Bean and de la Garza: 1988).

However, FAIR, with 43 members of Congress as co-plaintiffs, filed a similar suit concerning the 1990 Census. The suit was dismissed in May 1989 due to lack of standing. The court found that the plaintiffs could prove no injury. As of this writing, FAIR is considering an appeal.

Despite court rulings, the question of whether the Census Bureau should distinguish between legal residents and undocumented aliens is now a matter of public debate. The general concern among the undocumented is the confidentiality of information gained through the census. While there is no way to determine how much such concerns contributed to the 1980 undercount, it was surely a factor. Fear among the undocumented that the 1990 Census will be used to determine a person's legal status seems likely again to reduce the effectiveness of the Bureau's 1990 outreach efforts.

Congressional Reapportionment and Redistricting After the 1980 Census

The total number of seats in the House of Representatives is currently fixed at 435, and each state is automatically assigned one seat. States are then assigned a specific number of additional seats through a population-based formula. Once seats are allocated, congressional redistricting is determined by a political process that includes the development of a new election district map, usually by state legislators. Areas covered by Section 5 of the Voting Rights Act (VRA) (see Section 6 of this booklet for more information about this) must submit their plan to the Justice Department for approval. States covered by Section 5 of the VRA that have large Latino populations are New York, Florida, Texas, New Mexico, Colorado, Arizona, and California. Federal courts may intervene and take responsibility for drawing new districts if any of these states fail to agree on a plan that can be approved by the Justice Department in time for the primary preceding the next congressional election.

While reapportionment usually affects only a few congressional seats in a given state, redistricting may affect all seats. Since redistricting has political effects, the process is always controversial. Creating districts likely to elect Latino representatives therefore depends on more

than simply carving out districts with large Hispanic populations. It may require agreements between political party leaders and Latino groups that could lead to the elimination of an incumbent's seat, or to the creation of a new safe district benefiting one party at the expense of another, or to some other disputed result.

The specifics of the redistricting process vary from state to state. Texas, for example, has a statutory body to arbitrate redistricting disputes between the two houses of the legislature or between the legislature and the governor. The members of this Redistricting Board include the state's Attorney General, Land Commissioner, Comptroller, Lieutenant Governor, and Speaker of the House. As long as it can perform its task in sufficient time for the primary election, the work of the board prevents intervention by federal courts. No similar body exists in other states with large Latino populations.

In all of the states, citizens may file suit in federal court challenging a redistricting plan. After it is filed, the suit is randomly assigned to a federal district judge. The judge must then inform the chief judge of the circuit, who *appoints* two other judges to act as a three-judge court to hear the suit. The two post-1980 redistricting cases which raised constitutional issues, *Davis v. Bandemer* (Indiana) and *Badham v. Eu* (California) were heard under this procedure, which allows appeal directly to the Supreme Court. The nonrandom selection of two of the three judges creates the possibility that political factors may influence the outcome. As the composition of the federal bench evolves because of

Table 5.1. Latino Members of Congress, Elected 1961 to 1984

State	District	Incumbent	Year First Elected
First Elected Before 1980			
Texas	CD20	Gonzalez (D)	1961
California	CD25	Roybal (D)	1962
Texas	CD24	de la Garza (D)	1964
New Mexico	CD 1	Lujan* (R)	1968
New York	CD18	Garcia (D)	1978
First Elected After 1980			
California	CD30	Martinez (D)	1982
California	CD34	Torres (D)	1982
Texas	CD27	Ortiz (D)	1982
New Mexico	CD 3	Richardson (D)	1982
Texas	CD23	Bustamante (D)	1984

** resigned in 1989*

Source: Authors' compilation

new appointments that reflect changing ideological and partisan preferences, court decisions may also begin to show a new pattern. One student of the redistricting process has asserted that "the remapping issue is only slightly less partisan in federal court than it is in a state capital" (Ehrenhalt: 1982).

Of the five federal judicial circuits containing states with large Latino populations, four had chief circuit justices in 1981 who had been appointed during Democratic presidential administrations. The majority of district court judges in each of the five circuits had also been appointed during Democratic administrations. By December 1988, however, a majority of district court judges in four of the five circuits, and the chief circuit court judge in two of the five circuits, had been appointed by Republican administrations. The extent to which these shifts will affect judicial decisions regarding redistricting should become apparent in the early 1990s.

The Impact of the 1980 Census on Latino Representation

The dramatic increase in the Latino population between 1970 and 1980 served as the foundation for significant increases in Latino congressional representation. After reapportionment and redistricting in 1981, nine congressional districts had constituencies that were at least 50 percent Latino. All but two of these elected a Latino at some point in the 1980s. The number of Latino congressman increased from five in 1980 to nine in 1982 to ten in 1984 (see Table 5.1).

How population growth and partisanship combine to affect representation can be seen in the results of the 1981 redistricting. New congressional districts represented by Latinos emerged in California, Texas, and New Mexico—states where the Democrats were dominant, the Hispanic population is primarily Democratic, and the state gained population (see Table 5.2, page 48). New York, on the other hand, lost five seats in 1981. Thus, even though Democrats controlled the state legislature and the state's Latino population was overwhelmingly Democratic and had increased greatly over the decade, efforts to create a new Latino district in New York failed.

The partisan nature of redistricting was evident in attempts by Republican minorities in the Texas and California legislatures to weaken redistricting plans drawn by Democratic majorities. The Republican objective was to enlist Latino support for challenges to redistricting plans designed by Democrats and for alternative Republican plans that would have eliminated several Anglo-controlled Democratic districts while establishing several safe districts for Republicans and Latinos (Cooper: 1987).

The gains in 1981 reflected the fact that Latino voters and legislators in some states played a larger role in redistricting. Assemblyman Richard Alatorre chaired the redistricting committee of the California Assembly. In New Mexico, Latino legislators were given credit for assuring that Latinos were the majority of the population in the newly created 3rd congressional district. In Texas, there was an early agreement among political forces that one of the new congressional districts would be

Table 5.2. Political Alignment, Latino Population, and Change in Congressional Seats in States With Large Latino Populations, 1981 and 1991

State	Dominant Party*			Latino Population (in 1000s)	Change in Congressional Seats	Change in Latino Seats
	Governor	Senate	House			
Arizona						
1981	D	R	R	441	+1	0
1991	D	R	R	648	+1	0
California						
1981	D	D	D	4,544	+2	+2
1991	R	D	D	6,589	+4	+1/+2
Colorado						
1981	D	R	R	340	+1	0
1991	D	R	R	368	0	0
Florida						
1981	D	D	D	858	+4	0
1991	R	D	D	1,473	+3	+1
Illinois						
1981	R	D	R	636	−2	0
1991	R	D	D	801	−1	0/+1
New Jersey						
1981	R	D	D	492	−1	0
1991	R	D	R	646	0	0
New Mexico						
1981	D	D	D	477	+1	+1
1991	R	D	D	543	0	0
New York						
1981	D	R	D	1,659	−5	0
1991	D	R	D	2,122	−2	0/+1
Texas						
1981	R	D	D	2,986	+3	+2
1991	R	D	D	4,134	+3	+1

* *R = Republican D = Democrat*

Sources: Estimates for 1991 based on partisan composition of states in 1989. 1988 population data based on Current Population Survey estimates: U.S. Bureau of the Census, *The Hispanic Population in the United States: March 1988*, Series P-20, No. 431. Estimated changes in congressional seats from: Cohen, Richard, "House Headed for a Big Reshuffling," *National Journal*, Jan. 7, 1989, 25.

located in the heavily Latino Rio Grande Valley. No such agreements about new congressional districts were reached in Florida, Arizona, or Colorado, where Latinos were less influential because of their relatively smaller populations and because they were usually members of the minority party within their state.

Latinos and the 1990 Census

The Census Bureau has already taken numerous steps to get a more accurate count of the Latino population in 1990, and Latino advocacy groups are increasing their efforts to match those of the Bureau. All of those involved report that planning for the 1990 Census has begun earlier than was the case for the count in 1980. MALDEF has taken the lead so far, with a national outreach program to educate the Latino community on the importance of the census. This program has begun in California and Chicago, and is to be duplicated in Texas. MALDEF is also a party to legal efforts to require an adjustment of census numbers because of undercounting of Hispanics, and the organization filed an amicus brief in the suit attempting to eliminate undocumented aliens from the census figures used to apportion Congress. The National Association of Latino Elected and Appointed Officials (NALEO) has begun a project to monitor the taking of the census, to advise local officials of the cost in lost revenue-sharing funds of an undercount similar to that in 1980, and to encourage Latinos to work as census takers. The National Council of La Raza is working through its affiliates in cities across the country to assure greater Latino cooperation in 1990.

Regionwide coalitions have emerged in South Florida, New York/New Jersey, Texas, Southern California, and Chicago. The Florida and New York/New Jersey efforts are intended to reach the growing and more diverse immigrant populations in those areas. Recent immigrants are likely to be unfamiliar with and distrustful of the census, and special efforts will be necessary if they are to be persuaded to participate. In Texas and the rest of the Southwest, the Southwest Voter Registration Education Project is coordinating a network of 200 community-level census and redistricting projects to assure both an accurate count and an equitable redistricting.

Adjusting the 1990 Census

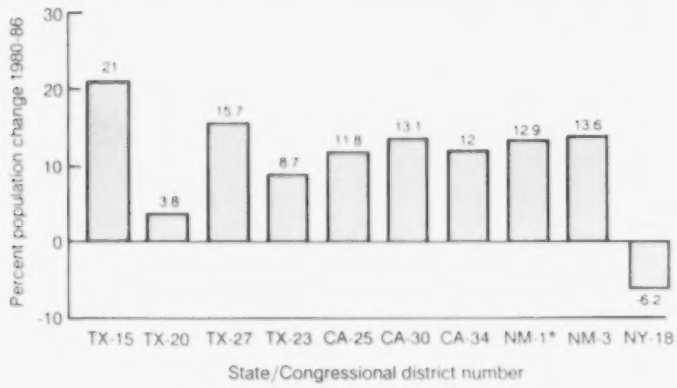
If successful, efforts to mandate an adjustment of the census because of undercounting could result in a more accurate count of Latinos. The Commerce Department, bureaucratic home of the Census Bureau, announced in 1987 that an adjustment was not technically feasible, but this decision was widely perceived to be based on political considerations rather than on technical grounds (Bailar: 1988). Rep. Mervyn Dymally of California introduced congressional legislation in

1988 that would require an adjustment. The bill was defeated in 1988 but was reintroduced in 1989. Meanwhile, New York City, the state of California, Dade County (Miami), and several other jurisdictions have filed suit in federal court in the Eastern District of New York to require an adjustment.[14]

Reapportionment and Redistricting after the 1990 Census

With one exception, all of the congressional districts with Hispanic representatives have grown in population since 1980, and therefore are unlikely to be merged or eliminated as a result of the 1990 Census (see Figure 5.1). The one exception is the 18th congressional district, located in New York City and represented by Rep. Robert Garcia. Since 1980, this district has experienced a population decline of 6 percent and is approximately 70,000 people short of the 555,000 residents that will be needed for a New York congressional district after 1990 (see Table 5.3). Although it is possible that the boundaries of this district could be redesigned in ways that would jeopardize this Latino seat, that is unlikely to happen because of the large and growing Latino population in New

Figure 5.1. Total Population Change in Congressional Districts Represented by Latinos: 1980-86



*Representative Lujan retired from Congress in 1989.
Source: U.S. Bureau of the Census

14. The District Court dismissed a Justice Department motion to dismiss and is considering a motion for summary judgement. Discovery is proceeding. No trial date had been set, and it is extremely unlikely that the case will be resolved prior to the 1990 Census.

York City. Moreover, any attempt to restructure the district in a way that dilutes minority voting strength would face a challenge under the Voting Rights Act.

Table 5.3. Latino Populations in Congressional Districts With a Latino Member of Congress: 1986

State and District		Incumbent	Estimated Pop. 1986	Percent Latino	Deviation from Ideal Population
TX	15	de la Garza	638,100	66	+82,033
CA	25	Roybal	588,200	57	+37,567
TX	20	Gonzalez	546,100	56	-9,967
TX	27	Ortiz	609,600	55	+53,533
TX	23	Bustamante	669,800	51	+113,733
NY	18	Garcia	485,200	49	-70,175
CA	30	Martinez	595,000	48	+44,367
CA	34	Torres	589,700	42	+39,067
NM	3	Richardson	491,100	37	-1,900
NM	1	Lujan*	490,200	33	-2,800

** Representative Lujan retired from the Congress in 1989. He was replaced by a non-Latino.*

Source: Election Data Services, Inc., *Democratic and Black Districts Most Affected by New Population Figures*, Washington, D.C., 1988.

In addition to retaining existing districts, Latinos may pick up new seats following the 1990 Census. Current estimates indicate that new congressional seats will be created in four of the states with significant Latino populations—Florida, Texas, Arizona, and California.

It must be remembered, however, that population is just one of the factors that influence the design of new districts. Other factors include partisan characteristics, the distribution of population growth within each state, the regional concentration of the Latino population within the state, and the status of Latinos in state politics.

In part because of redistricting of state-level offices following the 1980 Census, the states with large Latino populations that will have new congressional districts after 1990 have seen significant increases in the numbers of Latino state legislators since 1982 (see Table 5.4, page 52). Moreover, Latino legislators in many states will play a much more important role in redistricting in 1991 than they have previously. Assemblymen Angelo del Toro in New York and Charles Calderon in California, for example, served as chairs of the legislative committees vested with redistricting responsibility in their respective states in the 1987-1988 legislative session. Because of the size of the Latino populations in Texas and New Mexico, Latino representatives in those two states will also play central roles in the redistricting process when

committees are formed prior to 1991. Latino legislative influence will be less in other states.

While increased population, greater political power, and better organization will work to the advantage of the Latino community, other factors may offset potential gains. Since the very first census, the population count used to determine congressional districts has been the number of residents and not just the number of citizens. Thus, factors that dilute voting eligibility, such as youth and noncitizenship (both of which characterize Latinos) reduce the possible number of safe Latino

Table 5.4. Increase in Latino Elected Officials at State Level, Selected States, 1973 to 1988

	Number of Latino Elected Officials		Percent Change 1973 to 1988	Percent Change in Hispanic Population
	1973*	1988		
Arizona	95	237	+149	+140
California	231	466	+102	+91
Florida	13	50	+285	+375
New Mexico	366	595	+63	+180
New York	10	68	+580	+158
Texas	565	1,611	+185	+238

**There is some evidence to suggest that the numbers from 1973 may underestimate the number of Latino elected officials and therefore the amount of change between 1973 and 1988 may be overestimated.*

Sources: Lemus, Frank, *National Roster of Spanish Surnamed Elected Officials*, Atzlan Publications, Los Angeles, 1973 National Association of Latino Elected and Appointed Officials, *National Roster of Hispanic Elected Officials: 1987*, Washington, D.C., 1989

districts (see Section 4 of this booklet for more information on this). This underscores the point that concentration and population size alone will not assure an increase in Latino members of Congress.

Conclusion

Clearly, Latinos and the Census Bureau both learned a great deal from their experiences with the 1980 Census and the subsequent reapportionment and redistricting. The outreach efforts that are underway build on that knowledge, and there is reason to expect that the results in 1990 will be superior to those of the past. There also appears to be a much greater awareness now of the significance of census results for the well-being of the Latino community.

Numerical growth and concentration suggest that new congressional districts with Latino population majorities could be created in the Los Angeles area, in Texas, and in the Miami area, and that existing

seats will be retained. Whether or not these goals are achieved depends on several factors. The first and most important is the extent to which the Census Bureau achieves a relatively complete count.

Once the data have been collected, other factors will come into play. These will range from the partisan characteristics of those states where it will be possible to create Latino districts to the enforcement of the Voting Rights Act by the Justice Department. As the phenomenon of congressional redistricting to create districts represented by Latinos is relatively new, there is little history by which to judge the most effective means of assuring Latino representation. Nonetheless, sheer population size and growing Latino representation in the state legislatures augur well for the outcome Latinos can expect from the 1990 Census.

Section 6. Changing Standards in Voting Rights Law

by Frank R. Parker

Black, Hispanic, Native American, and other minority citizens have used litigation in the federal courts to overcome discriminatory redistricting plans and to increase minority representation at all levels of government. As indicated in other sections of this publication, legal challenges to state and local redistricting plans, while not the only means by which minority voters can influence the redistricting process, can be productive. Two of the newest black members of Congress—Rep. Mike Espy of Mississippi and Rep. John Lewis of Georgia—were elected after discriminatory plans were struck down under the Voting Rights Act and new congressional districts with black population majorities were created. Similarly, court suits filed by minority voters eliminated discriminatory multi-member legislative districts and produced dramatic increases in the number of black and Hispanic state legislators following the 1970 and 1980 Censuses.

John Lewis (D-Georgia) was elected to Congress from a black-majority district created by a successful court challenge.

For minority citizens to be effective participants in the redistricting process, either in state legislatures or local governing bodies, or in the courts, they must learn the rules of the game. What are the requirements of the "one-person, one-vote" rule? How great a deviation from population equality is constitutionally tolerable? What procedures are available for challenging racially discriminatory plans that dilute minority voting strength? What legal standards do the courts apply to strike down racially discriminatory plans?

The Legal Framework at the Beginning of the 1980s

The Supreme Court has ruled that neither the Constitution nor the Voting Rights Act give minority voters a federally guaranteed right to a redistricting plan that maximizes their influence in the electoral process. From a legal standpoint, then, the focus of any efforts to improve minority representation must focus on eliminating racial discrimination in any proposed or existing plan. This raises the question: what is the definition of racial discrimination? Does racial discrimination mean a plan that was adopted with discriminatory *intent*, or merely one that has a discriminatory *effect*?

Until 1980, the Supreme Court and lower federal courts had struck down voting laws and redistricting plans under the Constitution and the Voting Rights Act when they had a racially discriminatory *effect*. This meant that at-large election systems and gerrymandered redistricting

plans were unconstitutional when they had the effect of denying minority voters an equal opportunity to elect candidates of their choice, regardless of the intent of the plans.

Then, in 1980 in *City of Mobile v. Bolden*, the Supreme Court adopted a new standard. The Court ruled that discriminatory methods of election were not illegal per se unless it could be proven that they had been adopted or maintained with the *intent* to discriminate. This meant, for example, that an at-large voting system that diluted minority votes and resulted in an all-white city council was not necessarily illegal unless minority voters could prove that the system had been adopted or maintained for the specific purpose of discriminating against minority voters. Further, the Court appeared to reject as proof of discriminatory intent the kinds of circumstantial evidence that the courts previously had accepted as proving voting discrimination (such as absence of any minorities in elective positions, a past history of discrimination, and electoral rules that disadvantaged minorities).

Two years later, the Supreme Court in *Rogers v. Lodge* retreated from the extreme position it had taken in the *Mobile* decision. The Court reaffirmed that proof of discriminatory intent was required, but held that the proof could be circumstantial evidence showing that the challenged election system denied minority voters an equal opportunity to elect candidates of their choice. But further debate over the intent requirement was made moot when Congress in 1982 amended the Voting Rights Act in language that specifically instructed the Court that the standard of "intent" was unacceptable.

The Supreme Court made it easier for minorities to prevail in Voting Rights cases with the 1986 decision in Thornburg v. Gingles.

Section 2 of the Voting Rights Act, as amended in 1982, prohibits any voting practice or procedure, including any redistricting plan, which "results" in racial discrimination. This means that a challenged voting plan is unlawful if, "based on the totality of circumstances," minority voters "have less opportunity than other members of the electorate to participate in the political process and to elect the representatives of their choice."

In addition to Section 2 of the Voting Rights Act, two other legal principles have commonly been used in fighting racially discriminatory election systems: the one-person one-vote principle, and Section 5 of the Voting Rights Act. Each of these are discussed below.

The *one-person, one-vote principle* requires state legislatures and local governing bodies to create election districts of equal population so that each person's vote has equal weight. If one district has a small population and another (with the same number of representatives) a large population, each voter in the smaller district has more influence than each voter in the large district in determining who is elected.

This principle is important because districts that are unequal in population can result in discrimination against minority voters, particularly those living in heavily populated urban areas. The one-person, one-vote rule can be used to strike down racially discriminatory redistricting plans even when claims of racial discrimination otherwise can't be proven.

As stated by the Supreme Court in *Reynolds v. Sims* (1964), the one-person, one-vote rule requires "substantial equality of population among districts." What does "substantial equality" mean? The standard varies depending on what level of government is involved. By 1980 the Supreme Court had adopted different rules for judging the legality of congressional redistricting plans, state legislative redistricting plans, and local redistricting plans.

For congressional redistricting plans, all of a state's congressional districts must be equal in population, and no deviations from equal-sized districts are allowed unless they can be justified by state officials. Applying this test during the 1970s, the Supreme Court struck down congressional redistricting plans with deviations as small as 4.13 percent. During the 1980s, as described later in this section, the Supreme Court adopted even stricter standards on allowable deviations in congressional redistricting.

For state legislative redistricting plans, constitutionality depends upon the degree of deviation from equal-size districts and whether the deviations can be justified by some reasonable state interest. Deviations of less than 10 percent are not presumed to be unconstitutional and need

not be explained or justified by state officials. However, plans with deviations of less than 10 percent are not immune from legal challenge if there is proof of discrimination or improper motives. Deviations between 10 percent and 16.4 percent are presumed to be unconstitutional and will not be upheld by the courts unless state officials can justify them on the basis of consistent and reasonable state policies. Deviations larger than 16.4 percent generally are unconstitutional per se and will be struck down.

Slightly larger deviations from equal-sized districts are tolerated in local redistricting plans. The Supreme Court upheld one county redistricting plan with a deviation of 11.9 percent, but indicated that a larger deviation probably would not be allowed.

Section 5 of the Voting Rights Act requires nine states and parts of seven others[15] to obtain prior approval ("preclearance") for all voting law changes—including all new redistricting plans—from either the Justice Department or the U.S. District Court for the District of Columbia. The states and localities covered by Section 5 are those that had literacy tests for voters and low levels of minority voter registration when the Voting Rights Act was enacted in 1965. Later amendments covered additional states and localities with substantial numbers of Hispanic or other language-minority citizens which conducted English-only elections.

Under Section 5, the burden of proving the legality of changes in voting laws is placed on the state or locality. The state or locality must convince the Justice Department or the D.C. District Court that a proposed change in its voting laws does not have a racially discriminatory purpose and will not have a discriminatory effect. Anyone can write a letter to the Justice Department complaining about discrimination in a plan submitted for Section 5 approval and giving reasons why the Justice Department should object to the plan. Further, if the state or locality files a suit in District Court in Washington, D.C., to obtain preclearance, affected minority citizens can file a motion to intervene in the lawsuit to protect their rights. If the Justice Department objects to a plan or the D.C. District Court denies approval, the change cannot be implemented.

Section 5 is the part of the Voting Rights Act most frequently used to prevent racial discrimination in elections. Since 1965, the Justice Department has used Section 5 to block more than 2,000 discriminatory

15. The Section 5 preclearance requirement currently applies to all of Alabama, Alaska, Arizona, Georgia, Louisiana, Mississippi, South Carolina, Texas, and Virginia, and to parts of California (four counties), Florida (five counties), Michigan (parts of two counties), New Hampshire (parts of seven counties), New York (Manhattan, Brooklyn, and the Bronx), North Carolina (40 counties), and South Dakota (two counties).

Table 6.1. Number of Changes Blocked by Justice Department Section 5 Objections, by Type of Change, 1965 to 1988

Type of Change	Number of Objections
Municipal annexations	1,088
Methods of election	472
Redistricting	248
Polling place changes	46
Changes in form of government	39
Special elections	39
Precinct changes	19
Candidate qualifications	13
Voter registration procedures	12
Governmental consolidations/divisions of political units	12
Reregistration/voter purges	9
Bilingual procedures	9
Municipal incorporations	7
Voting methods	3
Miscellaneous	119
Total	2,167

Source: Voting Section, Civil Rights Division, U.S. Department of Justice

voting law changes (see Table 6.1). Congressional, state, and local redistricting plans have all been rejected.

During the 1970s, the Supreme Court adopted a limited interpretation of the discriminatory "effect" standard of Section 5. The Court ruled that a new redistricting plan does not have a discriminatory effect prohibited by Section 5 unless, compared with the previous plan, it diminishes the voting strength of minority voters. This interpretation (called the "Section 5 retrogression standard") protects minority voters, but it also means that if a prior plan was discriminatory, and a new plan is equally discriminatory, the new system must be approved (unless it was adopted with a discriminatory intent) because minority voters are no worse off than they were before.

Changes in Law During the 1980s

During the 1980s, Congress and the Supreme Court altered the legal standards that were in effect in 1980 (see Box 1, page 64). The greatest change occurred in 1982 when Congress amended the Voting Rights Act to overrule the *Mobile* decision and to eliminate the requirement of proving discriminatory intent. The Supreme Court then interpreted the 1982 amendment to simplify even further the legal requirements for proving unlawful minority vote discrimination.

In amending Section 2 of the Voting Rights Act in 1982, Congress indicated that minority voters can prove discriminatory results based on

a number of factors. For example, they can show the existence of racial bloc voting and a lack of minority representation. Other factors to be considered by the courts include a history of discrimination against minorities, the use of discriminatory election rules, discrimination in slating candidates for office, differences between minorities and whites in income, education, employment, and other socioeconomic characteristics, and racial campaigning.

Then, in *Thornburg v. Gingles*, decided in 1986, the Supreme Court made it even easier for minority voters to prove a violation of the Voting Rights Act. The *Gingles* case involved a challenge by black voters in North Carolina to at-large voting in multi-member and gerrymandered state legislative districts that, in effect, prevented black voters from electing candidates of their choice to the state legislature. The Supreme Court ruled that at-large election systems are illegal if:

(1) the minority population is geographically compact enough that a single-member district can be created where minorities are in the majority;

(2) minority voters tend to vote for the same candidates (i.e. bloc vote), indicating that they are "politically cohesive"; and

(3) except for special circumstances (such as minority candidates running unopposed), the candidates preferred by minority voters usually are defeated by white bloc voting.

This new standard, in effect, makes it illegal for a state or locality with racial bloc voting not to create a district in which minorities are in the majority if such a district can be created. This liberal standard is likely to have important ramifications after 1990, especially in parts of the country with substantial minority populations.

The Supreme Court's decision also makes it easier for minority voters to eliminate discriminatory multi-member legislative districts. Such districts were the principal focus of litigation in the South and Southwest during the 1970s and early 1980s, and most were eliminated. However, in some states that were untouched by this wave of litigation, multi-member districts remain.

The Justice Department estimates that more than 1,300 jurisdictions have changed their election systems since 1982 to comply with Section 2. Section 2 has been applied to strike down racially discriminatory congressional redistricting plans, state redistricting plans, at-large county and city election systems, at-large elections for state court judges, and voter registration procedures.

In two other Section 2 cases, the Chicago, Illinois, and Montgomery, Alabama, city council redistricting cases *(Ketchum v. Byrne* and *Buskey*

v. Oliver), federal courts struck down plans that reduced the number of black districts (Chicago) and reduced the black percentage of a district (Montgomery). The courts applied a retrogression standard similar to the one applied to states covered by Section 5 of the Voting Rights Act. These decisions have important implications for redistricting after 1990. Section 2 of the VRA—which the courts applied in those cases—applies nationwide, and the court rulings in those cases can be used throughout the country after the 1990 Census to prevent the elimination of existing majority black congressional and state legislative districts that currently have black representatives.

Measuring Malapportionment

During the 1980s the Supreme Court also adopted stricter standards for congressional redistricting and, in a striking about-face, opened the door to challenges to legislative redistricting plans which have the purpose and effect of partisan political gerrymandering.

In *Karcher v. Daggett*, handed down in 1983, the Court held that a New Jersey congressional redistricting plan was unconstitutional even though the total deviation from districts of equal size was a mere 0.6984 percent. The Court ruled that such a deviation could have been avoided, given that the legislature had rejected a plan with a population deviation of only 0.4514 percent, and that the state had failed to show that the deviation in its approved plan was necessary to achieve a legitimate goal.

On the same day it handed down its decision in the New Jersey case, the Supreme Court in *Brown v. Thomson* upheld a Wyoming state legislative redistricting plan where the total deviation in one district was 89 percent—a deviation much higher than any previously approved by the Supreme Court. The Court accepted the state's argument that this degree of deviation from the ideal was necessary to permit one isolated county to retain the seat in the state legislature that it had been granted in 1913 and to preserve county boundaries in that one district. Two of the Court's five-member majority (Justices O'Connor and Stevens) stated that they agreed with the decision only because the 89 percent deviation applied to just one county. They wrote that they had "the gravest doubts that a statewide legislative plan with an 89 percent maximum deviation could survive constitutional scrutiny . . ."

One redistricting issue not conclusively decided during the 1970s was how population malapportionment should be measured in "mixed" plans where some representatives are elected districtwide and others are elected from subdistricts within the district. The Supreme Court resolved this issue early in 1989 in *Board of Estimate v. Morris*, a challenge to the system of electing members to the New York City Board of Estimate. The Board of Estimate was composed of three members

elected citywide (the mayor, city council president, and city comptroller) and the five borough presidents, each of them elected from the five individual boroughs that constitute New York City. The boroughs vary greatly in population size, and the lower courts—looking only at differences in borough populations—held the election system unconstitutional for violating the one-person, one-vote rule. The Supreme Court held that in calculating the malapportionment in this mixed plan, the courts must consider the weight of citizens' votes for both the borough representatives and their proportional share of the vote for the citywide elected officials. This method of calculation reduced the overall deviation from 132 percent to 78 percent, but the Supreme Court ruled that even a deviation that high was constitutionally unacceptable. This decision settles the question of how malapportionment should be measured in mixed plans and indicates that despite the Wyoming case, discussed above, the Supreme Court is not loosening the strict numerical standards for judging one-person, one-vote violations.

New Law Governing Partisan Political Gerrymandering

During the 1970s the Supreme Court refused to hear suits based on allegations that redistricting plans discriminated against candidates or voters of a particular political party. In 1986, however, in *Davis v. Bandemer*, the Supreme Court in a split decision ruled that claims of political gerrymandering could be litigated in federal court. Although the Indiana plan in question in that case created state legislative districts that were equal in population size, the plaintiffs charged that the Republican-controlled state legislature had gerrymandered the districts to maximize Republican voting strength and to minimize the number of Democratic districts. They contended that the legislature's plan discriminated against Democrats by packing more Democratic voters into districts which already had large Democratic majorities and by splitting up other Democratic districts, thus assuring a larger number of "safe" Republican seats.

While the Supreme Court agreed that intentional political gerrymandering violated the 14th Amendment, it ruled that the plaintiffs' claims had not been proven. The Court required evidence of "both intentional discrimination against an identifiable political group and an actual discriminatory effect on that group." Although discriminatory intent had been proven, said the Court, a sufficient discriminatory effect had not. Unconstitutional discrimination, the Court said, occurs only when a redistricting plan "will consistently degrade a voter's or a group of voters' influence on the political process as a whole."

What this means may be worked out in lawsuits brought after the 1990 Census. In a case involving California *(Badham v. Eu)* that was

decided after the Indiana case, Republican plaintiffs argued that the Democrats had gerrymandered California's congressional districts to limit the number of Republican members of Congress. Although political commentators thought the Republicans had presented a strong case, the District Court dismissed their claims and the Supreme Court affirmed without opinion, three Justices dissenting. The results in these two cases suggest that litigants attempting to prove partisan political gerrymandering will have a difficult time convincing the courts to uphold their claims.

New Law Governing Section 5 of the Voting Rights Act

During the 1980s the Justice Department amended its Voting Rights Act regulations to broaden the types of discrimination that can be challenged under Section 5. Objections are now permitted when a voting law change is likely to have a discriminatory result that violates the Section 2 "results" standard. This means that a new redistricting plan can be blocked by a Justice Department objection if it has discriminatory results, regardless of its intent and regardless of whether it is retrogressive.

"Litigants attempting to prove partisan political gerrymandering will have a difficult time convincing the courts to uphold their claims."

The Supreme Court has continued to take a narrow view of the Section 5 "effect" standard. In *Lockhart v. United States*, decided in 1983, the Court overruled the Justice Department's objection to changes in a Texas city's election system. Under the proposed plan, a mayor and four city council members would be elected using numbered posts and staggered terms of office.[16] The Supreme Court noted that numbered posts and staggered terms generally are discriminatory because they prevent minority voters from single-shot voting. However, the Supreme Court added that the proposed changes would not diminish minority voting strength be-

16. "Numbered Posts" means that each candidate must qualify and run for a particular post or place on the ballot (e.g. Post No. 1, Post No. 2, etc). "Staggered terms" is an election system under which not all the offices are up for election at the same time. For example, when half of the offices may be up for election one year and the other half up for election the next year. Both systems eliminate or minimize the opportunity for minority voters to elect candidates of their choice through "single-shot voting." Single-shot voting, a tactic sometimes successfully employed by minority voters, is voting for less than the full number of positions to be filled. For example, if there are four positions to be filled and more than four candidates running, and if white voters spread their votes out over four different candidates, minority voters may be able to elect a candidate of their choice by casting only one vote and concentrating their votes on one candidate. This is impossible when there is a post system, since voters have only one vote for each post, and may be ineffective under a staggered term system because a staggered term system reduces the number of seats to be filled at each election.

cause minorities could not single-shot vote under the preexisting election system.

When the Justice Department adopted its new Section 5 regulations in 1987, it agreed that voting law changes should be objected to under Section 5 if they meet the new results test under Section 2. However, the Federal courts, in judicial preclearance proceedings under Section 5, have not yet ruled on the applicability of the Section 2 results standard to Section 5 preclearance proceedings.

Box 1. Important Supreme Court Decisions of the 1980s that will Affect Redistricting after the 1990 Census

City of Mobile v. Bolden, 446 U.S. 55 (1980).
In this challenge to at-large city council elections, a divided Supreme Court ruled that for cases alleging a dilution of minority voting strength, proof of discriminatory intent was necessary to establish a 14th Amendment violation. The Court also rejected as meeting this requirement the kinds of circumstantial evidence that courts in the past had accepted as proving voting discrimination (no blacks elected, discrimination in employment and municipal services, history of discrimination, discriminatory electoral rules).

Rogers v. Lodge, 458 U.S. 613 (1982).
The Supreme Court reaffirmed that proof of discriminatory intent was required to prove unconstitutional minority vote dilution. But in an about-face from the Mobile decision, the Court ruled that direct evidence of intent was not necessary and that the intent standard could be satisfied by the kinds of circumstantial evidence courts had accepted in the past as proof of voting discrimination. (The impact of this decision, however, was superseded by congressional passage of the 1982 amendment to Section 2 of the Voting Rights Act, which eliminated the necessity of proving discriminatory intent.)

Karcher v. Daggett, 462 U.S. 725 (1983).
The Supreme Court found that a New Jersey congressional redistricting plan violated the one-person, one-vote requirement even though the total deviation from population equality was a mere 0.6984 percent because a better plan with a deviation of only 0.4514 percent had been rejected by the legislature. The Court reaffirmed the rule that "absolute population equality" is the "paramount objective" in congressional redistricting. Any deviation from equal-sized districts, no matter how small, shifts the burden to the state "to prove that the population deviations in its plan were necessary to achieve some legitimate state objective."

Brown v. Thomson, 462 U.S. 835 (1983).
In a 5-4 decision, the Supreme Court upheld an 89 percent population deviation affecting one county in the Wyoming state legislative reapportionment plan, based on the state's historic policy of preserving county boundaries. The majority made clear, however, that it was only ruling on one district, not the statewide plan. Justices O'Connor and Stevens, whose

Implications for the 1990s

Opportunities for minority voters and others to challenge redistricting plans and to gain increased representation have been expanded by legal developments during the 1980s. Minority voters need not prove discriminatory intent to challenge a redistricting plan that dilutes their votes; all they have to prove is discriminatory results. Further, the Supreme Court has said that the results test is satisfied if minority voters can prove two things: that a majority black, Hispanic, or other minority single-member district can be created, and that past racial bloc voting

votes were necessary to the five-member majority, in a concurring opinion expressed "the gravest doubts that a statewide legislative plan with an 89 percent maximum deviation could survive constitutional scrutiny despite the presence of the State's strong interest in preserving county boundaries."

Thornburg v. Gingles, 478 U.S. 30 (1986).
The Supreme Court upheld Congress's 1982 amendment to Section 2 of the Voting Rights Act that eliminated the requirement of proving discriminatory intent in minority vote dilution cases and simplified the legal standards for proving a Section 2 violation under the new "results" test. The Court held that Section 2 focuses on "an inequality in the opportunities enjoyed by black and white voters to elect their preferred representatives." The Court stated that the critical elements of a Section 2 violation were whether a single-member district could be drawn in which minorities had a majority and whether there was racially polarized voting that resulted in the defeat of minority-preferred candidates.

Davis v. Bandemer, 478 U.S. 109 (1986).
For the first time, a Supreme Court majority held that claims of political gerrymandering were justiciable in federal court, but by a divided vote reversed the District Court decision which had found a constitutional violation. A plurality of the Court ruled that the Democrats challenging the plan had not proven "a sufficiently adverse effect" to demonstrate that they had been "unconstitutionally denied [their] chance to effectively influence the political process."

Board of Estimate v. Morris, 103 L.Ed.2d 717 (1989).
The Supreme Court unanimously held that the method of electing members of the New York City Board of Estimate, composed of three city officials elected citywide and five borough presidents elected from unequally populated boroughs, violated the one-person, one-vote rule because of population disparities among New York's five boroughs. The Court ruled that the votes of borough residents for the citywide elected officials must be included in calculating the degree of population malapportionment, which reduced the deviation percentage from 132 percent to 78 percent, but also found that this high deviation could not be justified. "We note that no case of ours has indicated that a deviation of some 78 percent could ever be justified," the Court stated.

has prevented minority voters from electing candidates of their choice. These developments provide minority groups with a legal basis for creating new districts in which minorities are in the majority in the redistricting process after the 1990 Census. In addition, there are now legal safeguards to assure that population shifts do not result in the elimination of existing majority black congressional and legislative districts currently represented by black legislators.

The stricter one-person, one-vote standard for congressional redistricting will make it easier for minority groups and others to challenge congressional redistricting plans, and the states will have to design congressional districts that are more precisely equal in population. And the more detailed census data that will be available after 1990 will allow the Supreme Court to adopt stricter population standards for state legislative districts as well.

The Supreme Court's decision to allow challenges to redistricting plans because of political gerrymandering may also cause an increase in redistricting litigation. Most redistricting plans involve some degree of political manipulation of boundary lines, and whether or not there is a violation of the new standard may depend on whether the political group claiming to be disadvantaged can convince the court that the plan would consistently degrade that party's votes over time or substantially negate its influence in the electoral process. The present constitutional standard is not one that can be easily applied, and further litigation will be necessary to establish precise guidelines on what constitutes unconstitutional political gerrymandering.

Since any revision of district lines may also have implications for racial representation, minority groups may have to follow these cases closely—or even become parties to the litigation to protect their interests if a court decides there is a constitutional violation and orders a new plan drawn up.

The Justice Department's revision of its Section 5 regulations may increase the number of objections to redistricting plans that have racially discriminatory results. Under the new standard, evidence that minorities will be worse off is no longer necessary for a Section 5 objection. During the Reagan administration, the Justice Department did not fully implement this new standard. Whether it will do so in the future will depend on who is appointed Assistant Attorney General in charge of the Department's Civil Rights Division and how willing he or she is to vigorously apply the new standard. In any case, though, thanks to court decisions in the 1980s, minority groups now have stronger legal safeguards to protect their rights.

Section 7. The Impact of New Technology and New Census Data on Redistricting in the 1990s

by Carlton Henry

The 1990s will see widespread use of computers in the redistricting process. Technological advances in computer hardware and software, and the availability of more detailed census data, will combine to change the way redistricting is done. Whereas redistricting once was done with crayons, a calculator, and a road map, new technology will provide detailed and accurate representations of the demographic and geographic information used in political redistricting. Computers will help to reduce the time it takes to draft a redistricting plan, help test such plans against statistical criteria, and help make the process more flexible. However, it is important to understand that what is done—the redrawing of the boundaries of election districts—will not change. The primary concern will still be fair political representation, but computers will become an essential tool in the process.

This section will place these technological developments in context by reviewing redistricting in the 1980s and looking ahead to the redistricting process following release of the 1990 Census results.

Redistricting After 1980

About half of the states made use of computers when they redrew election district boundaries after the 1980 Census. Many of the states used computers as super calculators to summarize demographic statistics. The primary application was to produce printouts of demographic information and statistics about proposed districts from census tapes. This information was then used to produce redistricting maps by many methods. Only a few states were able to integrate demographic statistics with computerized production of redistricting maps.

In some cases, the computers used in the redistricting process were mainframe or mini-computers owned by the state. Sometimes, computers at a local university were used. And some states obtained computer services through consultants. In most cases, extensive computer programming was needed to put data into computer-readable form. The difficulty of this complex task was intensified by political and time pressures. Not surprisingly, the use of computers by political organizations other than the state legislatures' redistricting committees was limited.

Two states that were able to combine computerized statistical information from the census with geographic information to produce computer-generated redistricting maps were New York and Texas. In the case of New York the job was made easier because the state's transportation department had already "digitized" (that is, made computer-readable) a map of the entire state. Texas, on the other hand, used map

data provided by the Census Bureau which contained errors and could only be used to produce maps for the state's 40 most populous counties. Still, the state's redistricting committee noted that the state plan could not have been completed without the use of computers.

Recent Technological Developments

Three developments in recent years will contribute to greater use of computers in future redistricting—the spread of personal computers, the development of software known as Geographical Information Systems (GIS), and the availability of more detailed demographic and enhanced geographic data from the Census Bureau.

The Spread of Personal Computers. One of the most significant trends of the 1980s was the proliferation of personal computers, also known as microcomputers. Personal computers now put the computing power on a desktop machine that in the early 1980s was available only from expensive mainframe and mini-computers. Today, an IBM-AT 286 or 386 microcomputer which costs less than $7,000 has as much computing capacity as many of the $500,000 computers used in 1980. A personal computer and a spreadsheet or database program can now be used to calculate the statistics—such as ideal district size, racial composition of districts, or overall deviations—that are used in redistricting. In addition, there are now a variety of devices—laser printers, inexpensive color plotters, and color graphics terminals—that can be used to draw maps with greater precision than was possible before.

Rapid advances in micro-computer technology are likely to have a big impact on redistricting in the 1990s.

Geographic Information Systems (GIS). Geographic Information Systems (GIS) are integrated software systems which can display demographic data on a computerized map. Before the capabilities of personal computers were improved, the use of GIS's was restricted to organizations with mainframe computers, such as government agencies, public utilities, and big corporations. Now, more than a dozen companies sell GIS's, which are also called "desktop mapping systems." Many have been tailored for use in redistricting and have been adopted by several states for use after 1990.

GIS redistricting programs can do several things: (1) they can be used to figure the degree of malapportionment of existing election districts—their deviation from ideal population size; (2) they can be used to draw new districts, using 1990 population figures; (3) they can be used to outline new districts, either on paper or on a computer screen; and (4) they can be used to produce statistical reports. By means of sophisticated GIS software, tabulations done by computer no longer have to be transposed manually to maps. In short, all of the operations in the redistricting process are consolidated into one system.

These systems have numerous advantages. One is that they are "turnkey" (ready-to-use) systems that require little if any programming to make them operational for redistricting purposes. Another advantage is that the software can be adapted for other tasks of state and local government—land use planning, crime analysis, delivery of services. Since redistricting occurs only once every ten years, these alternative uses help to justify the expense.

GIS's also add speed to the redrawing of district boundaries. Redistricting maps which conform to the principles of compactness, contiguity, equality of population, preservation of political boundaries, and preservation of partisan competitiveness can be prepared much more quickly.

Companies with current or planned GIS's for use in redistricting include Geovision, Public Systems Associates, Geographic Data Technologies, Environmental Systems Research Institute, and Election Data Systems. As of this writing, prices on many of the redistricting GIS's have not been set, but preliminary estimates indicate a range in costs from $10,000 to $50,000, depending on options desired. In comparison, general-purpose desktop mapping programs like Atlas Graphics cost around $500.

New Products from the Census Bureau. The Census Bureau, in cooperation with state and local governments, has made large strides in improving the data used for redistricting. Two noteworthy improvements planned for the 1990 Census are expanded reporting of block data and

creation of the TIGER file, a computerized mapping system of the entire nation. To understand the importance of these two innovations, it is helpful to review how census data have been used in the past for redistricting.

One task of the redistricting analyst is to match the geographic categories used for reporting census data (such as blocks, tracts, or enumeration districts) with the political districts (such as precincts or election districts) that are of interest to state legislatures and other governmental bodies performing redistricting. The analyst must be able to determine how the inclusion or exclusion of certain areas will affect the size and demographic composition of the political district. The smaller the geographic units for which census data are available, the more flexibility an analyst has in preparing a redistricting map that meets all of the legal requirements.

"Block data" provide information on the smallest geographic areas for which the Census Bureau tabulates data. In urban areas, these blocks are usually equivalent to city blocks—typically, a rectangle bounded by four streets and containing a few dozen households. In earlier years the Census Bureau provided no block-level data for areas outside of metropolitan centers. For areas where no block level data were available, it was difficult to determine how the demographic composition of a district should be altered to abide by the "one person/one vote" standard, and the number of optional district plans that could be constructed to meet the legal parameters was restricted.

After redistricting took place in the 1970s and 1980s, many states discovered that new election districts had been drawn that did not conform to recognized boundaries. For example, the new boundaries often cut through the middle of communities. At that time, geographic units known as "enumeration districts" were the smallest unit of geography in use for census purposes outside metropolitan areas. Enumeration districts varied widely in size, but often encompassed many square miles. Furthermore, the boundary lines for census enumeration districts often did not follow the lines for politically relevant geographic units, such as precincts. Some individual voting precincts were fragmented among as many as four enumeration districts. The use of enumeration districts as the basic geographic unit for constructing election districts made it difficult to achieve election districts with equal population size, and it reduced the number of optional district plans that could be drawn.

In 1975, Congress passed a law (Public Law 94-171) which required several changes in the way the Census Bureau collects and disseminates the data used for redistricting. Among other things, Congress told the Bureau to establish a voluntary program in which the states could specify the geographic areas, such as election precincts, for which they

wanted census data. The law also directed the Bureau to provide the states with the data needed for redistricting more quickly than in the past.

In 1980, a few states contracted with the Census Bureau to have census data tabulated at the block level for the entire state. These states thus obtained more detailed demographic information than was available from the 1970 Census. "Block data" facilitated efforts to comply with the Voting Rights Act because the boundaries of minority districts could more easily be adjusted to achieve precise numbers or percentages of minority populations. The data also allowed states to use geographic boundaries that were familiar to local politicians. For example, most precincts are simply a collection of blocks. Therefore, by aggregating the census block data, information for precincts could be easily obtained.

The 1990 Census will provide data for 8-10 million blocks which will be used to re-draw political districts.

Despite the usefulness of statewide block data, a few significant problems remained. Some states did not always get block data for all parts of the state. Sometimes, the features used as block boundaries by the Census Bureau were not significant to local officials. And occasionally, there was a lack of consistency in the use of a particular kind of feature as a block boundary. The latter problem arose from the fact that the Bureau used not only streets but also rivers, rail lines, power lines, and other "visible ground features" as block boundaries.

In the 1990 Census, there will be block data for the entire country. Phase one of the "Block Boundary Suggestion Program," which began in 1985, offered states the opportunity to draw the blocks that will be used for census tabulations in 1990. The purpose was to increase the likelihood that the boundaries of election precincts and voting districts would correspond to the boundary lines of Census Bureau blocks. This should enable the Bureau to add up block data and thus provide population counts for each election district.

During phase two, in late 1988 and early 1989, the states received maps from the Bureau showing the boundaries of the blocks the Bureau is planning to use for the 1990 Census. The states then had the opportunity to outline the boundaries of voting districts and election

precincts in relation to these blocks. This will enable the Bureau to report census data according to election precincts.

Another concern has been the lack of information about the voting-age population in each block. In order to assess the potential political power of groups, knowledge of the size of the voting-age population is fundamental. The data which will be released on April 1, 1991, will show the voting-age population by race for each block.

Table 7.1. Demographic Units Used in the Census, 1980 and 1990

Unit	1980 Number	1990 Estimated Number	Percent Change
Voting District	36,361	90,000	148
Census Tract	43,383	48,000	11
Block Numbering Area	3,404	11,300	232
Block Group	156,163	222,000	42
Block	2,473,679	8-10,000,000	223-304

Source: U.S. Bureau of the Census

The Census Bureau will substantially increase its reporting of demographic data by specific type of geographic area in 1990 (see Table 7.1). The number of voting districts will more than double, and the overall number of blocks will increase by about 300 percent. The number of census blocks in Georgia will increase from 124,000 in 1980 to 387,000 in 1990, the number in New York will increase from 190,000 to 452,000, while that in Texas will increase from 188,000 to 648,000. Vermont's will increase from 1,600 to 23,000 and Idaho's from 8,200 to 105,000.

The TIGER File

In the past, obtaining appropriate maps was one of the most difficult aspects of redistricting. The maps used by the Census Bureau were hand-drawn and were often hard to read; they were generally drawn to different scales, and were fraught with errors. Furthermore, many of the maps did not contain legible street names or other significant landmarks.

For the 1990 Census, the Bureau has developed a computerized map of the United States called TIGER, for Topologically Integrated Geographic Encoding and Referencing. TIGER is a digitized (computer-readable) map showing all of the streets and year-round water features in the country. It also shows the boundaries of all of the geographic units that will be used by the Bureau in 1990. All of the maps needed to conduct the 1990 Census will be produced from the TIGER data base. The TIGER

File can be used in combination with the Geographic Information Systems described earlier to automate the redistricting process.

Table 7.2. shows the size of the TIGER File in megabytes[17] of disk storage by state. Even for a small state such as Delaware, with 13 megabytes of TIGER/Line data, the size of the data base will make it necessary to use a fairly sophisticated computer system.

Table 7.2. Estimated TIGER/Line File Size by State In Megabytes of Computer Disk Storage

State	Megabytes	State	Megabytes
Alabama	171	Montana	167
Alaska	N/A	Nebraska	148
Arizona	192	Nevada	110
Arkansas	179	New Hampshire	33
California	488	New Jersey	112
Colorado	160	New Mexico	182
Connecticut	47	New York	252
Delaware	13	North Carolina	216
Florida	315	North Dakota	125
Georgia	204	Ohio	239
Hawaii	20	Oklahoma	185
Idaho	116	Oregon	173
Illinois	284	Pennsylvania	289
Indiana	164	Rhode Island	17
Iowa	177	South Carolina	129
Kansas	218	South Dakota	124
Kentucky	131	Tennessee	172
Louisiana	165	Texas	674
Maine	53	Utah	91
Maryland	67	Vermont	22
Massachusetts	93	Virginia	119
Michigan	222	Washington	161
Minnesota	204	West Virginia	83
Mississippi	165	Wisconsin	182
Missouri	236	Wyoming	119
Total Megabytes	8208		

N/A = Not available

Source: U.S. Bureau of the Census

17. One megabyte is equal to about one million characters of data, or roughly 1,000 pages of text.

The Implications of Technology for Redistricting After 1990

We have now moved to the point in computerizing the redistricting process where we regularly use computers for statistical analysis and we can manipulate and analyze maps of election districts in digital (computer-readable) form. Many states have implemented computerized GIS's and have begun analyzing TIGER files. Others are evaluating different hardware and software configurations. Because of the new technology, entire state plans will be prepared more quickly and with greater accuracy than in the past. Those who do redistricting should be able to respond more quickly to public requests for the data that underlie the plans. In turn, computerization should make it easier to consider alternatives. Minority organizations, public interest groups, and civil rights advocacy groups will therefore have greater opportunities to become involved in the process. The technology they will need to assist them in analyzing proposed plans and formulating alternatives has become much less expensive.

Indeed, access to computers has become so widespread that one analyst has predicted an era of "dueling computers" in the redistricting process. With enhanced methods available to manipulate data, subtle and unanticipated new forms of gerrymandering are likely to appear in the 1990s. This should come as no surprise. As we said at the beginning, technology is changing only the way that redistricting is done. It will not make the process less political.

Section 8. Redistricting Resources for Minority Groups

by Taynia Mann

As community groups prepare for redistricting they often find that they need special assistance. Sometimes the special assistance needed is advice regarding census data, computer applications, legal points, or other technical matters. Other times they just need some general guidance.

This section provides information about some of the organizations that provide resources for minority groups involved in redistricting. A list of organizations and a description of their activities and services in connection with post-1990 Census political redistricting is provided below.

In addition, the Census Bureau offers certain kinds of assistance which might prove useful to those involved in redistricting. Some of the services provided by the Census Bureau are listed in the last part of this section. The Census Bureau also maintains several minority advisory groups. Individuals in these groups are often good sources of information, and are useful for drawing the attention of the Bureau to particular problems.

American Civil Liberties Union
Southern Regional Office
44 Forsyth St., Suite 202
Atlanta, GA 30303
(404) 523-2721
Contact: Laughlin McDonald

The Southern Regional Office of the ACLU has long been involved in civil rights litigation, principally, although not exclusively, in the South. The Southern Regional Office has specialized in voting and reapportionment litigation. The Southern Regional Office has represented minority plaintiffs under Sections 2 and 5 of the Voting Rights Act, in suits challenging redistricting under the Constitution, and in other suits challenging restrictive registration and other barriers to full minority political participation.

The Southern Regional Office plans to hold a conference after Labor Day of this year concentrating on the theme of the 1990 Census and the activities of civil rights groups. A specific portion of the conference is to focus on outreach to community groups.

Laughlin McDonald, of the Southern Regional Office, has stressed the importance of knowing the specific areas in which each civil rights group is particularly active considering the range of activities, including litigation and data analysis related technical support, in which different groups are involved.

Lawyers' Committee for Civil Rights Under Law
1400 Eye St., N.W.
Suite 400
Washington, D.C. 20005
(202) 371-1212
Contact: Frank R. Parker

The **Voting Rights Project** of the Lawyers' Committee for Civil Rights Under Law is a three-attorney project established to protect the rights of minority voters secured by the U.S. Constitution and the Voting Rights Act.

The Voting Rights Project was a leader in the effort to amend the Voting Rights Act in 1982 to eliminate the requirement of proving discriminatory intent and has filed and participated in more than 50 lawsuits nationwide to protect minority voting rights. The Lawyers' Committee has litigated reapportionment and redistricting cases in Mississippi, Virginia, and Arkansas that have led to significant increases in minority participation in state and federal legislatures. The Lawyers' Committee has also litigated numerous legal challenges to at-large voting and gerrymandered districts for the election of state court judges, county officials, and city council members.

For the 1990 Census, the Lawyers' Committee plans to help lead the national effort to plan, develop, and implement coordinated legal strategies (a) to maintain existing levels of minority representation in Congress and state legislatures and (b) to challenge discriminatory redistricting plans that prevent increases in minority representation. The Lawyers' Committee plans to host a two-day national minority redistricting conference in the Spring of 1990; to develop an updated redistricting manual for both litigators and minority community leaders; to establish panels of attorneys and redistricting experts to assist minority community groups in the redistricting effort; and to provide legal assistance in the redistricting process, the Section 5 preclearance process, and voting rights litigation to help ensure fair and nondiscriminatory redistricting plans.

National Association for the Advancement of Colored People
4805 Mount Hope Dr.
Baltimore, MD 21215-3297
(301) 358-8900
Contact: John Johnson, Voter Education and Labor Departments
Dennis Hayes, Legal Department

NAACP National Headquarters is working with the Census Bureau and the more than 2,200 local units of the NAACP across the country to promote an accurate census count and to develop a long-term redistricting strategy. The redistricting strategy is to assist state legislatures who are committed to programs that benefit black Americans and counterbalance conservative efforts to gerrymander away black and other progressive legislators.

The NAACP will provide training and resource materials to NAACP units and other support groups throughout the nation in 1989 and 1990 through its regional, state, and national conferences to encourage a complete and accurate decennial count and to assist NAACP units in impacting redistricting throughout the nation.

The Legal Department of the NAACP has been involved in voting rights litigation and anticipates that it may be involved in cases following the 1990 Census. The majority of the suits that the Legal Department has been involved in concern at-large election systems in a variety of states.

In addition to the Voter Education and Legal Departments in Baltimore, the NAACP has seven Regional Directors available to take suggestions or to provide information.

Region I
Mr. James L. Martin
2480 Sutter St.
San Francisco, CA 94115
(415) 931-3243

Region II
Ms. Paula Brown Edme
260 5th Ave.
New York, NY 10001
(212) 481-4100

Region III
Rev. J.C. Hope
17 Ford Ave.
Detroit, MI 48203
(313) 869-3717

Region IV
Ms. Ina Boon
1408 N. Kingshighway, Rm. 210
St. Louis, MO 63113
(314) 361-3848

Region V
Mr. Earl T. Shinhoster
970 Martin Luther King Blvd.
Atlanta, GA 30314
(404) 688-8868

Region VI
Mr. Richard Dockery
2606 Martin Luther King, Jr. Blvd.
Suite 219
Dallas, TX 75215
(214) 421-4332

Region VII
Mr. Leroy Mobley
4805 Mount Hope Dr.
Baltimore, MD 21215
(301) 358-8900

National Coalition on Black
Voter Participation
1101 14th St., N.W.
Suite 925
Washington, D.C. 20005
(202) 898-2220
Contact: Leslie Norris McFarland

The National Coalition has initiated a project called the **Census Awareness Project** to inform the black community of the need to participate in the census in greater numbers because of the importance of the census to black political participation.

In the redistricting phase of the Census Awareness Project, the National Coalition is currently working with several organizations in sponsoring a forum during 1989 to begin the educational process of reapportionment and redistricting. This will be sponsored by the National Coalition's Black Women's Roundtable. The National Coalition will meet with female leaders of national and community-based organizations in order to discuss the outreach programs available to educate the minority community and to encourage minority women on the importance of participating in the census and how the process of reapportionment and redistricting affects them. The National Coalition is in the process of developing a manual that can be used in the census community on the reapportionment and redistricting process. The National Coalition will also disseminate information about the process of reapportionment and redistricting through workshops, public service announcements and the Operation Big Vote networks.

In the long term, through the Census Awareness Project the National Coalition will do a nonpartisan study of the impact of the 1990 Census on minority voting districts. Metropolitan areas in the Northeast and the Rust belt, areas with large black populations, stand to lose up to 15 seats after 1990 while the South and the West undoubtedly will gain new seats. However, the southern and western communities that will probably gain new seats are not generally in areas that have significant black populations. If black communities are not fully prepared for the reapportionment and redistricting process that will follow the 1990 Census, many of the gains in black political representation may be lost.

National Urban League, Inc.
Washington Operations
1111 14th St., N.W.
6th fl.
Washington, D.C. 20005
(202) 898-1604
Contact: Robert McAlpine

While the National Urban League does not have a concerted set of activities in connection with the redistricting process, the League will:

- provide constituents with relevant information to assist them to better understand the redistricting process and the varying perspectives on the issue;
- help ensure that those carrying out planning and activities at the local level are well informed;
- carry out, within the League's broader educational function to its constituents, an information-sharing service on the ins and outs of public policymaking.

Mexican American Legal Defense and Education Fund (MALDEF)
Political Access Department
634 S. Spring St.
11th fl.
Los Angeles, CA 90014
(213) 629-2512
Contact: Jose Garza
Washington, D.C.
(202) 629-2512
Contact: Lydia Camarillo

Currently, MALDEF's census-related activities are concentrated on a strong bilingual campaign to encourage Hispanics to participate in the census and on advocating an accurate count of the Hispanic population. MALDEF, in cooperation with other organizations, successfully negotiated with the Census Bureau for the inclusion of a question on the 1980 Census which indicates when a respondent is of Hispanic origin and which further delineates the national/ethnic subgroup of the respondent.

MALDEF currently has several lawsuits pending which challenge political districts created in 1981. The organization plans to be active in redistricting again in the 1990 decade but has made the decision to withhold formulating any specific, new plans for redistricting until the outcome of current litigation is known.

Southern Regional Council
60 Walton St.
Atlanta, GA 30303-2199
(404) 522-8764
Contact: Ginny Montes
Director, Project 1990

The Southern Regional Council's work is limited to eleven southern states: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

Project 1990, a special project of the Southern Regional Council, is designed to provide a broad base of technical assistance to minority officials and community leaders to assist them in the process of 1990 redistricting. Project 1990 is an aspect of the voting rights work under-

taken by the Southern Regional Council since the 1980 redistricting process. The project will further the levels of political participation by all citizens and remove the major electoral barriers that continue to dilute minority voting strength.

During the 1980s the Southern Regional Council has provided research assistance to elected officials in Georgia, Alabama, North and South Carolina, and Florida. Through the Voting Rights Project, the Council has provided assistance to community groups in over 40 jurisdictions throughout the South on issues of fair and equal representation. The focus of the Council's work has enabled local community leaders to take an active role in the development of plans and strategies regarding redistricting.

Specifically, Project 1990 will concentrate in the following areas:

- Development of a data base that will be used to do projections for 1990 redistricting.
- Carrying out analysis of all congressional and state legislative district lines using both 1980 Census data and projected 1990 data in order to determine major population changes.
- Development of analyses from the database to identify targets of opportunity at the congressional and state legislative levels.
- Holding meetings throughout the southern region to present the analysis and to prompt a discussion about priorities among minority elected officials and community activists involved in voting rights and redistricting activities. These discussions will be aimed at setting common priorities and strategies for the 1990s.
- Establishing a network of communication so that groups involved with redistricting in the South can constantly know about the work of others and share information that improves everyone's effectiveness.
- Assist in development of redistricting plans.

Southwest Voter Research Institute (SVRI)
403 East Commerce, Suite 260
San Antonio, TX 78205
(512) 222-8014
Contact: Robert Brischetto
Executive Director

The **Latinos in 1990 Redistricting Project** is a joint effort by the Southwest Voter Research Institute and the Southwest Voter Registration Education Project to involve Latino community leaders in the redistriction process. The project focuses primarily on state legislative and local redistricting in California, Texas, New Mexico, Arizona, and Colorado. The project's plan has four main components:

- Community awareness (August 1989–March 1991). A series of 10–15 regional meetings with Hispanic community leaders in the Southwest to provide information on the redistricting process within the framework of the Voting Rights Act.

- Local Redistricting Committees (June 1990–March 1991). Out of the regional meetings, leaders will form local committees in 150–200 towns and cities throughout the Southwest. The local leaders will be trained by staff organizers and legal and technical experts on redistricting to serve as local advocates for redistricting in the interest of Hispanics.
- Technical Assistance (April 1991–December 1993). Throughout the redistricting period, SVRI and SVREP staff will provide technical assistance in developing redistricting plans.
- Litigation (January 1992–December 1999). After redistricting plans have been adopted by state and local governments, SVREP and SVRI will work with MALDEF and other voting rights litigation groups in filing lawsuits challenging those plans which dilute minority voting strength.

The League of Women Voters Education Fund (LWVEF)
1730 M Street, N.W.
Washington, D.C. 20036
(202) 429-1965
Contact: Cynthia Hill
Director of Election Services and Litigation

The LWVEF is conducting the **Census Participation and Reapportionment Monitoring in the 1990s Project,** one of whose purposes is to help ensure the adoption of reapportionment plans that comply with the Voting Rights Act of 1965. Among other activities, the LWVEF plans to work with state and local Leagues and other groups to monitor reapportionment processes and plans, and to support litigation and other enforcement proceedings.

The LWVEF's resource center will develop and distribute educational and monitoring materials and will respond to requests for information from groups interested in conducting reapportionment monitoring activities.

The LWVEF will also maintain contacts between Leagues and voting rights litigation groups to coordinate activities on litigation and other enforcement strategies. Where appropriate, the LWVEF will support enforcement efforts by filing *amicus* briefs and, for jurisdictions covered by Section 5 of the Voting Rights Act, comments or objections to proposed plans that are submitted to the Justice Department for preclearance.

U.S. Commission for Civil Rights
1121 Vermont Ave., N.W.
Rm. 710
Washington, D.C. 20425
(202) 523-5264
Contact: Tino Calabia

By May 1989, the New York State Advisory Committee to the U.S. Commission on Civil Rights will have held two forums on Census Undercounts and Preparations for the 1990 Census. The issues that will be covered include correcting for decennial census undercounts, the formulation of questions for small minority groups and the preparations underway for April 1, 1990. A report from the November 1987 forum is available in printed form. The second report may become available in the late fall of 1989.

The Census Bureau sponsors a number of programs which may offer minority groups support in certain technical areas.

Census Awareness and Products Program of the Census Bureau

The Census Awareness and Products Program of the Census Bureau offers a variety of services from each of the regional offices. Services include:

Assistance

- Provide technical assistance to users of Census Bureau data
- Help data users locate, understand, and use Census Bureau products and services
- Encourage new data users in the community

Presentations

- Deliver presentations on census-related topics at local meetings
- Encourage local community leaders and organizations to support the census to provide overall participation in censuses and surveys by the community
- Exhibit census products at national, regional, state, or local conferences and conventions

Training

- Provide a program of data user education
- Sponsor seminars, workshops, and conferences on census topics
- Participate in community sponsored seminars, workshops, and conferences on census-related topics
- Provide information to the data user community about organizations that have extensive holdings of census products for public use, such as State Data Centers and libraries

For information on redistricting data in the 1990 Census, contact:
1990 Census Redistricting Office
Bureau of the Census
Washington, D.C. 20233
(301) 763-3856

For further information about the 1990 Census outreach program or to have questions answered on census products and services contact the Census Awareness and Products Program at one of the following regional centers:

Regional Offices of the Census Bureau

Ms. Sheila H. Grimm
Regional Director
Bureau of the Census
221 West 41 St.
New York, NY 10036-7294
(212) 264-4730

Mr. Leo C. Schilling
Regional Director
Bureau of the Census
101 Stewart St., Suite 500
Seattle, WA 98101-1098
(206) 728-5314

Mr. John E. Reeder
Regional Director
Bureau of the Census
The Valley Corporate Park,
Bldg. #1 16300 Roscoe Blvd.
Van Nuys, CA 91406-1215
(818) 892-6674

Mr. Rich Takei
Regional Director
Bureau of the Census
400 2nd St.
San Francisco, CA 94107-1400
(415) 454-9111

Mr. Stanley Moore
Regional Director
Bureau of the Census
2233 Enterprise Dr., Suite 5501
Westchester, IL 60153-5800
(312) 409-4619

Mr. Dwight P. Dean
Regional Director
Bureau of the Census
27300 West 11 Mile Rd.
Suite 200
Southfield, MI 48034-2244
(313) 354-1990

Mr. Marvin Postma
Regional Director
Bureau of the Census
10332 NW Prairie View Rd.
P.O. Box 901390
Kansas City, MO 64191-1390
(816) 891-7490

Mr. William F. Adams
Regional Director
Bureau of the Census
6900 West Jefferson Ave.
Lakewood, CO 80235-2307
(303) 969-7750

Mr. Arthur G. Dukakis
Regional Director
Bureau of the Census
441 Stuart St., 4th fl.
Boston, MA 02116-5000
(617) 421-1421

Ms. LaVergne Vines Collins
Regional Director
Bureau of the Census
441 North 5th St., 3rd fl.
Philadelphia, PA 19123-4090
(215) 597-4920

Mr. William F. Hill
Regional Director
Bureau of the Census
3410 Saint Vardell Lane
Charlotte, NC 28217-1355
(704) 371-6142

Mr. James F. Holmes
Regional Director
Bureau of the Census
1375 Peachtree St., N.E., 3rd fl.
Atlanta, GA 30309-3112
(404) 347-5443

Mr. John Bell
Regional Director
Bureau of the Census
6303 Harry Hines Blvd., Suite 210
Dallas, TX 75235-5228
(214) 767-7488

The Census Bureau also has a set of committees representing various minority populations which advise it on topics of interest to this community. The list below will indicate which member of the Minority Advisory Committee is closest to your area. For specific addresses, contact the Program Information Office in the Decennial Planning Division of the Census Bureau at (202) 763-4275.

Membership List of the 1990 Census Advisory Committee on the Black Population

Bishop Vinton R. Anderson
St. Louis, MO

Dr. Milton Bins
Washington, D.C.

Dr. Eleanor Engram
Cleveland, OH

Mr. Frederick D. Gray
Capitol Heights, MD

Mr. Frederico J. Henry
Bethesda, MD

Mr. Rudolph Hightower
Indianapolis, IN

Honorable Richard E. Jackson, Jr.
Peekskill, NY

Mr. F. Edward Johnson
Detroit, MI

Dr. Shirley J. Jones
Hattiesburg, MS

Mr. Robert M. Martin
Austin, TX

Mr. Lawrence Rawles
Philadelphia, PA

Dr. Gloria E.A. Toote
New York, NY

Membership List of the Census Advisory Committee on the Hispanic Population

Mr. Roland Alum, Jr.
West New York, NJ

Mr. Eduardo Bernaldez
El Paso, TX

Ms. Norma Guzman Bordelon
Woodland Hills, CA

Mr. Manuel A. Casiano, Jr.
Santurce, Puerto Rico

Dr. Leobardo F. Estrada
Los Angeles, CA

Ms. Carmen Junco
Santurce, Puerto Rico

Ms. Carmela G. Lacyo
Los Angeles, CA

Mr. John Lasseville
Miami, FL

Mr. Salvador G. Longoria
New Orleans, LA

Ms. Velma Montoya
Los Angeles, CA

Mr. Oscar M. Moran
San Antonio, TX

Ms. Bebe Zuniga
Laredo, TX

State Data Center Program Lead Agencies

These agencies coordinate census activities and the distribution of census data within the state. Contact this agency within your state to find out more about the products of the Census Bureau available for your state.

Alabama
Center for Business and Economic Research
University of Alabama
P.O. Box AK
Tuscaloosa, AL 35487
(205) 348-6191

Alaska
Alaska Dept. of Labor
Research and Analysis
P.O. Box 25504
Juneau, AK 99802-5504
(907) 465-4500

Arizona
Arizona Dept. of Economic Security
1300 West Washington, 1st fl.
P.O. Box 6123-045Z
Phoenix, AZ 85005
(602) 255-5984

Arkansas
State Data Center
University of Arkansas at Little Rock
2801 South University Ave.
Little Rock, AR 72204
(501) 569-8530

California
State Census Data Center
Dept. of Finance
915 L St.
Sacramento, CA 95814-3701
(916) 323-2201

Colorado
Div. of Local Government
Colorado Dept. of Local Affairs
1313 Sherman St., Rm. 520
Denver, CO 80203
(303) 866-2156

Connecticut
Comprehensive Planning Division
Connecticut Office of Policy and Management
80 Washington St.
Hartford, CT 06106
(203) 566-8285

Delaware
Delaware Development Office
99 Kings Highway
P.O. Box 1401
Dover, DE 19903
(302) 736-4271

District of Columbia
Data Services Division
Mayor's Office of Planning
415 12th St., N.W., Rm. 314
Washington, D.C. 20004
(202) 727-6533

Florida
Florida State Data Center
Executive Office of the Governor
304 Carlton Bldg.
Tallahassee, FL 32301
(904) 487-2814

Georgia
Div. of Demographic and Statistical Services
Georgia Office of Planning and Budget
207 Washington St., S.W., Rm. 608
Atlanta, GA 30334
(404) 656-0911

Hawaii
Hawaii State Data Center
Kamamalu Bldg., Rm. 602A
250 King St.
Honolulu, HI 96804
(808) 548-3082

Idaho
Idaho Dept. of Commerce
700 W. State St.
Boise, ID 83720
(208) 334-2470

Illinois
Div. of Planning and Financial Analysis
Illinois Bureau of the Budget
William Stratton Bldg., Rm. 605
Springfield, IL 62706
(217) 782-1381

Indiana
Indiana State Data Center
Indiana State Library
140 North Senate Ave.
Indianapolis, IN 46202
(317) 232-3735

Iowa
Census Services
Iowa State University
320 East Hall
Ames, IA 50011
(515) 294-8337

Kansas
State Library
State Capitol Bldg., Rm. 343-N
Topeka, KS 66612
(913) 296-3296

Kentucky
Urban Studies Center
College of Urban & Public Affairs
University of Louisville
Louisville, KY 40292
(502) 588-7990

Louisiana
Louisiana State Planning Office
Div. of Administration
P.O. Box 94095
Baton Rouge, LA 70804
(504) 342-7410

Maine
Div. of Economic Analysis and Research
Maine Dept. of Labor
20 Union St.
Augusta, ME 04330
(207) 289-2271

Maryland
Maryland Dept. of State Planning
301 West Preston St.
Baltimore, MD 21201
(301) 225-4450

Massachusetts
Massachusetts Inst. for Social & Economic Research
University of Massachusetts
117 Draper Hall
Amherst, MA 01003
(413) 545-0176

Michigan
Michigan Information Center
Office of Revenue and Tax Analysis
P.O. Box 30026
Lansing, MI 48909
(517) 373-2697

Minnesota
State Demographic Unit
300 Centennial Office Bldg.
658 Cedar St.
St. Paul, MN 55155
(612) 296-4886

Mississippi
Center for Population Studies
Bondurant Bldg., Rm. 3W
The University of Mississippi
University, MS 38677
(601) 232-7288

Missouri
Missouri State Library
2002 Missouri Blvd.
Jefferson City, MO 65102
(314) 751-3615

Montana
Census and Economic Information Center
Montana Dept. of Commerce
1424 9th Ave., Capitol Station
Helena, MT 59620-0401
(406) 444-2896

Nebraska
Bureau of Business Research
200 CBA
The University of Nebraska-Lincoln
Lincoln, NE 68588-0406
(614) 472-2334

Nevada
Nevada State Library
Capitol Complex
401 North Carson
Carson City, NV 89710
(702) 885-5160

New Hampshire
Office of State Planning
State of New Hampshire
2-1/2 Beacon St.
Concord, NH 03301
(603) 271-2155

New Jersey
New Jersey Dept. of Labor
Div. of Planning and Research
CN 388 - John Fitch Plaza
Trenton, NJ 08625-0388
(609) 984-2593

New Mexico
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